Ṣaḥīḥ Muslim

With the Full Commentary by

Imam al-Nawawī

Translated and Edited by

Adil Salahi

VOLUME

SEVEN

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TRANSLITERATION TABLE

Arabic Consonants

Initial, unexpressed medial and final: ء ’

ا	a	د	d	ض	ḍ	ك	k
ب	b	ذ	dh	ط	ṭ	ل	l
ت	t	ر	r	ظ	ẓ	م	m
ث	th	ز	z	ع	‘	ن	n
ج	j	س	s	غ	gh	هـ	h
ح	ḥ	ش	sh	ف	f	و	w
خ	kh	ص	ṣ	ق	q	ي	y

With a *shaddah*, both medial and final consonants are doubled.

Vowels, diphthongs, etc.

Short:	ـَـ a	ـِـ i	ـُـ u
Long:	ـَا ā	ـِي ī	ـُو ū
Diphthongs:	ـَوْ aw		
	ـَيْ ay		

In the name of God, the Most Compassionate, the Ever Merciful

PREFACE

We live in a time when people can spread their views around the globe at the touch of a button. Yet such views may come from people of little knowledge who can confuse and even misguide others. This is a concern that has become particularly acute with the widespread misrepresentation of Islam, both by those hostile towards it, and, unfortunately, even those who claim to profess it. Through their evil but eloquent schemes, such people can misrepresent the sacred teachings of this religion, and direct the ignorant and the ill-fated to perpetrate heinous crimes against both an innocent public and an innocent religion. Such deception and misinterpretation has sadly become all too common in our day, and among its causes is, undoubtedly, the relative inaccessibility of sound Islamic scholarship and literature in the English language. An additional cause is the suggestion that there is no difference between experts and non-experts. It is as though God never declared in His Book: '*How can those who know be equal to those who do not know?*' (39: 9)

A plethora of problems can arise when non-experts begin to consider themselves experts on a subject matter. One can vividly illustrate with the example of a person who requires medical attention. A sensible individual would choose to be treated by a medical professional—an expert in the field—rather than risk their health by consenting to a medical procedure from someone who fancies themselves a doctor simply because they have read a medical textbook in their spare time. Indeed, there are serious legal consequences for those who claim to practice medicine without a recognized licence—one which is granted because they have been through rigorous training and examination. Such legal repercussions are entirely appropriate of course, for such frauds place people's worldly lives at risk. Yet why is it that when it comes to our health we seek an expert opinion,

but when it comes to our everlasting Hereafter so many of us prefer to follow someone who considers himself an expert after reading just a couple of books? Simply put: why do we risk our eternity by following those who are not qualified? Why do we not seek out recognized experts? As God the Almighty says: '*ask the people of knowledge if you do not know*.' (16: 43) It is precisely to address this gap between scholarly works and non-scholarly opinions that we have endeavoured to produce this invaluable resource.

After reading the entirety of *al-Minhāj* in Turkish, the Director of Organisational Management at Islamic Community Milli Gorus (ICMG) Youth Australia, Adem Temel, conducted a meeting with our small team in which we studied the book and recognized how blessed we were to have access to such a stupendous work. It was evident that the renowned scholar and author of *al-Minhāj*, Imam al-Nawawī, may God have mercy on him, had wisdom and knowledge many today are in desperate need of. Indeed, *al-Minhāj* is one of the greatest and most respected commentaries on *Ṣaḥīḥ* Muslim. While an English translation of a hadith can struggle to convey its apparent meaning, let alone the appropriate context and other subtleties, commentaries by experts like Imam al-Nawawī can shed light on hadiths more comprehensively and thus give us greater access to the intended meaning while guarding us against misunderstanding. During a subsequent meeting, our team compared the Turkish translation of *Fī Ẓilāl al-Qur'an* with the English translation by Dr Adil Salahi and were impressed by the remarkable consistency between the two translations. Immediately thereafter, the team made the decision to contact Dr Salahi with a view to proposing that he translate Imam al-Nawawī's *al-Minhāj* into English. We were overjoyed to hear his positive response.

A number of people and organizations have contributed to this project. Firstly, this work would not have been possible without Adil Salahi's mastery of both the Arabic and English languages. His love of Prophet Muhammad, peace and blessings be upon him, and his dedication to making knowledge accessible has led to the translation of significant works from the Islamic literary heritage. Second, the ICMG Youth Australia and Kube Publishing (UK) teams worked closely to meet all project timelines. Third, many individuals and groups volunteered to support this project both physically and financially. Lastly, and most importantly, God, the Almighty,

guided us, brought ease, and opened closed doors to make everything possible.

‘… and my success can only come from God. In Him I put my trust, and to Him I will return.’ (11: 88)

Halim Erbasi

ICMG Youth Australia

Director of Education

BEFORE YOU READ

There are some important points that the reader, particularly a student of Hadith, needs to bear in mind when using this book. Although these have been explained in the Introduction to the first volume, it is considered worthwhile to remind readers of the editorial method followed in this work.

1. Numbering and references

It is surprising, but there has never been a full and serial numbering of hadiths in *Ṣaḥīḥ* Muslim, and hence references to hadiths vary. A hadith is often referenced by book and chapter: 'Related by Muslim, Book of Faith, Chapter so-and-so', and so forth. This is a difficult method of referencing, particularly because the headings of some chapters run into two or three lines, or even longer. The fullest numbering of the hadiths in *Ṣaḥīḥ* Muslim is that given in *al-Muʿjam al-Mufahras li-Alfāẓ al-Ḥadīth*, but many hadiths are left without numbers. These are versions of the previous hadith, differing only in their chains of transmission, and it was probably felt that they should count with the earlier and often more complete version.

Al-Muʿjam al-Mufahras is a concordance of the words of the Prophet's hadiths listed in the most important nine anthologies: al-Bukhārī, Muslim, Abū Dāwūd, al-Tirmidhī, al-Nasā'ī, Ibn Mājah, as well as Mālik's *al-Muwaṭṭa'*, Ahmad's *al-Musnad* and al-Dārimī's *Sunan*. It was prepared by a group of forty Western researchers of Islamic studies under the supervision of Arent Jan Wensinck (1882–1939) and edited by the Egyptian scholar Muhammad Fu'ād ʿAbd al-Bāqī (1882–1967).[i]

However, *al-Muʿjam al-Mufahras* gives a serial number to each 'book' in Muslim's *Ṣaḥīḥ*. Thus, it lists the numbers of the hadiths in the Book of Faith from 1 to 380, and then begins the numbering in the Book of Cleansing from 1. As such, it does not give a complete serial numbering to

the entire anthology. I have therefore decided to provide serial numbering, giving every hadith its own numbered identification. In doing so, I follow the method adopted by the late hadith scholar Mūsā Shāhīn Lāshīn (1920–2009) in his 10-volume commentary, *Fatḥ al-Munʿim fī Sharḥ Ṣaḥīḥ Muslim*. This method does not assign a number for a hadith that differs from the one before it only in its chain of transmission, but that has exactly the same text.

Muslim's *Ṣaḥīḥ* has been translated into English by Abd al-Hamid Siddiqui. The translation is well circulated and its better known edition, published by Dār al-Salām, is available online. After looking carefully at this translation, I have decided to provide my own. However, the translation gives a full serial numbering of the hadiths listed by Muslim, bringing the total to 7,190 hadiths. This is different from Lāshīn's method of numbering, which brings the total to 6,571 hadiths. To make it easier for readers who wish to refer to Dār al-Salām's translation, I give the number in that translation in brackets before the chain of transmission.

Thus, three sets of numbers are included before the chain of transmission of each hadith. The first is a complete serial number following Lāshīn's method. The second is that of *al-Muʿjam al-Mufahras* and the third is that of Dār al-Salām's translation given in brackets. Where Lāshīn or *al-Muʿjam al-Mufahras* does not give a hadith a number, because it is the same as the hadith before it, I follow the convention of giving it the mark '000'. Thus, either of the first two numbers may be replaced by 000. Where Dār al-Salām's translation omits a hadith or does not give it a number, I give it the mark '0'. The pattern of numbering is simplified, as follows:

Lāshīn – *Al-Muʿjam* – (Dār al-Salām)

This applies to all the hadiths that are entered in the anthology itself, beginning with the Book of Faith. Imam Muslim wrote a long introduction to his work, explaining his method. In it, he includes ninety-two hadiths and statements by the early scholars of Hadith. These are given separate numbers, from 1 to 92. Only a few of these are entered in *al-Muʿjam al-Mufahras*, because the majority are attributed to scholars of Hadith.

Whichever is entered in *al-Muʿjam al-Mufahras* its number is stated. Dār al-Salām's translation does not include this introduction.

When a hadith is entered in any of the other five anthologies considered to be the most authentic, I mention these in a footnote. Where no such information is given, it means that the hadith is entered only in Muslim's anthology. The Arabic original of each hadith is given immediately after the English translation, but this applies to the main body of the anthology, not to Muslim's introduction.

Imam Muslim divided his anthology into books, each covering an important area of the Islamic faith, such as the Book of Faith, the Book of Prayer, etc. He did not make further classification. It was left to Imam al-Nawawī to divide each book into chapters, and give headings to these. These chapters were later given numbers in *al-Muʿjam al-Mufahras*. The headings and their numbers are given in this translation. However, as many headings tend to be long, I have tried to reduce them while retaining the elements highlighted in the headings. It should be pointed out, however, that some of these chapters are not given numbers. Where no number is given to a chapter in *al-Muʿjam al-Mufahras*, it appears without a number in this translation.

There are a few instances where the same number is given to two consecutive hadiths. In order to indicate that this is not an error, but merely following the Arabic original, the repetition is indicated by the symbol [R].

2. The chain of transmission

Hadith scholars were very specific in their terminology. Therefore, when they used synonymous words, they imparted clear distinction to them. Thus, the words *ḥaddathanā*, *akhbaranā*, *anba'anā*, and *ʿan*, have different meanings, although linguistically speaking they are very similar and denote receiving information from a named person. However, *ḥaddathanā* is used to refer to a process whereby the teacher reads out the hadith to his students, whether he is narrating from memory or reading out loud directly. *Akhbaranā* and *anba'anā* are practically identical in meaning. However, the first refers to a process whereby a student is reading aloud from his teacher's books in the presence of the teacher. *Anba'anā* does not specify

this process, but means that the information was passed on by the teacher or in his presence. *ʿAn*, on the other hand, does not specify any process, nor does it specify that the reporter actually heard the teacher's narration or his student's reading out in his presence. Indeed, it could, thus, mean that the reporter heard the hadith from a colleague who was in the teacher's circle at the time.

In order to reflect these differences, 'narrated' is the term used here for *ḥaddathanā*, 'reported' for *akhbaranā*, 'mentioned' for *anba'anā*, and 'from' for *ʿan*. However, any of the first three ways could involve a one-to-one situation in which the reporter is the only one present with his teacher. In Arabic, this is marked by changing the last letter in the three Arabic words, using 'ī' instead of 'ā'. Thus the words become *ḥaddathanī*, *akhbaranī*, and *anba'anī*. To reflect the difference in the English translation the words 'to me' have been used after 'narrated', 'reported' and 'mentioned' to indicate the one-to-one situation, while the three words on their own indicate the presence of others when the narration took place.

Readers will also note that in some hadiths the chain of transmission includes the mark [H]. This is indicated in Arabic by the use of the letter [Ḥ], and it may occur once, twice, or even more in the chain of transmission of the same hadith. What this signifies is that the hadith is narrated by two or more chains of transmission, but these join up at some stage. Rather than give them separately, repeating the names of reporters from where they join up to the Prophet's companion, Hadith scholars use this way to indicate that the different chains are joined at this point.

Another symbol used in the chain of transmission is [R], but this is much less frequent. It simply indicates that the number given to a particular hadith is repeated, which means that the number has been given to more than one hadith instead of giving each of them a separate number.

Sometimes Muslim narrates a hadith from three of his teachers and uses the word 'narrated', but their methods of learning from their teacher whom they quote differ. Muslim is too careful and meticulous to overlook this fact. He makes this clear by immediately adding something like: 'The first said "narrated" and the other two said "reported".'

3. Word usage

The usage of some Arabic words need to be explained. The word ‘imam’ is often used in reference to some scholars quoted in this work. It is also used in reference to both Muslim and al-Nawawī. There is, however, a very clear difference in the use of this word by Sunni Muslims and the Shia.

Linguistically speaking, *imām* means ‘leader’ and is often used, particularly in books of Islamic Jurisprudence, or *fiqh*, to refer to the ruler or the head of state, whether he has the title of caliph or some other title. It is also commonly used to refer to the person who leads congregational prayer. In this second usage, there is no difference between the one who leads the prayer and anyone in the congregation, except that the imam leads and the congregation follow.

A far more common usage of the word is as a title of respect added before the name of a scholar who is recognized for his high achievement and scholarship. This is how it is mostly used in this work. It may, however, also be used here in the sense of the ‘leader of congregational prayer’ when this topic is discussed, but as such will be clearly identified at that juncture. A scholar who is considered an imam has no special distinction, apart from what his scholarship gives him; he does not enjoy any special status. It will be noted in this work that the views of some such scholars are outlined, and discussed or rejected. This is clearly a matter of scholarly difference that does not detract from the high standing of the scholar or the one who differs with him.

The Shia have a totally different concept of ‘imam’. They give this status to twelve people starting with ʿAlī ibn Abī Ṭālib, the Prophet’s cousin, followed by eleven of his descendants through Fāṭimah, his wife and the Prophet’s daughter. To the Shia, those imams were infallible and enjoy a rank that is almost equal to that of the Prophet. Indeed, the way some Shia speak of the third Imam, al-Ḥusayn, the Prophet’s grandson, gives at times the impression that they rank him above the Prophet himself. Moreover, the Shia believe that the twelfth Imam was taken away and did not die: he will return at some point when he will bring justice to the world. This Shia concept is absolutely unacceptable to Sunni Muslims who do not recognize any such status as belonging to anyone.

We speak of a hadith having a chain of transmission and we mention ‘transmitters’. We also use the words ‘reporter’ and ‘narrator’. These three words are used interchangeably and they refer to the people named in the chain of transmission. These have the same status with regard to how the Prophet’s statement or action is taught and learnt. When we use the verb ‘narrate’ we are referring to the action of stating the hadith, whether by reading it out loud or otherwise. However, the word ‘narrate’ is often used in Islamic literature in reference to the works of the leading scholars of Hadith and what they include in their anthologies. Thus, we often see phrases like ‘al-Tirmidhī narrated …’, ‘al-Bukhārī narrated …’. It is felt that it is better to distinguish the mere quoting of a hadith and its entry in an anthology. Therefore we use the word ‘narrate’ to indicate quoting a hadith and the word ‘relate’ to mean the ‘entry in a Hadith anthology’. Thus, we say: ‘al-Bukhārī relates in his *Ṣaḥīḥ*’, or ‘al-Bayhaqī relates in *Shuʿab al-Īmān*’, or ‘al-Nasā’ī relates in *al-Sunan al-Kubrā*’.

The words Abū and Abī are often used in the names of hadith reporters and scholars. These two are the same word, but the endings are case markers according to their position in the sentence. Invariably, Abū is used at the beginning of the sentence and when not preceded by a name, while Abī is used when preceded by the word ‘ibn’. There are other situations that indicate which of the two should be used. Both words mean ‘father of’ and their use indicates an appellation of respect.

The word *mawlā* is used to describe some reporters and other persons mentioned in the commentary. This word is one of the few Arabic words that denote opposite meanings. Linguistically, it means both ‘master’ and ‘slave’, and it is used in the Qur’an to refer to God as the *mawlā* of the believers. When someone is referred to as the *mawlā* of another or of a tribe, it most frequently refers to a slave who was set free. He then allied himself with his former master or with his tribe, as this was a recognized practice in Arabia both under Islam and prior to it.

It will be noted that the phrase ‘but God knows best’ is used very frequently in al-Nawawī’s commentary and by the scholars he quotes: this is a mark of humility. They express their views but shy away from presenting these as the true and correct view, to the exclusion of anything different. It is akin to saying that ‘this is what I know, but ultimate knowledge rests with God’.

The word hadith is used with a capital or small ‘h’ and this usage indicates a difference. When it is used with the lower case first letter it refers to a single statement by the Prophet. Hence, the reference to one or more statements by the Prophet is always with the lower case. When it is used with a capital first letter, it refers to the Hadith discipline, which is a specialized branch of study, concerned with the Prophet’s statements, actions and approvals.

4. Arrangement

Imam al-Nawawī discusses three areas in relation to every hadith included in Muslim’s anthology: 1) The general meaning of the hadith and its message. He also outlines the important points it includes and highlights any rulings that it stipulates or may be based on it. 2) The chain of transmission: he identifies the different reporters, giving some information about them and their full names if they are mentioned by first name or by appellation. He also highlights any useful point that the chain provides, and explains any subtle point that reflects Muslim’s careful and meticulous scholarship. 3) He explains the language of the hadith, stating the meanings of individual words, particularly those that may be unfamiliar to readers or became rarely used. Where a word, phrase or sentence may have more than one meaning, he discusses these and shows which, if any, is unacceptable. However, he does not follow a single pattern in the arrangement of his commentary. Sometimes, he begins by discussing the chain of transmission, but often he discusses the general meaning first. He may also start by explaining the language and the meaning of individual words.

In this English version, liberty has been taken to follow a consistent pattern. The meaning of the hadith is given first and then its explanation,

under the subheading ‘text explanation’, is provided. This is followed with any discussion al-Nawawī gives concerning the chain of transmission, using the subheading ‘transmission’. The information al-Nawawī provides about the meaning of individual words and the pronunciation of unfamiliar words and names has been ignored, because these are already reflected in the translation. However, when he discusses alternative meanings, what is considered useful to English readers is included. If it is a matter of pronunciation or a grammatical aspect that does not affect the meaning or the message of the hadith, this has been disregarded.

5. Quotations and references

In his monumental work, al-Nawawī cites numerous quotations from various scholars. At times, he mentions the work from which the quotation is made, but in most cases this is not done. Although his work has been checked and verified several times, and published many times in different countries, none of these undertook the task of checking the original works in order to provide detailed references. There are several reasons for this omission. Many of the original works have not been published, but remain in manuscript form held in different libraries in various countries. Moreover, many of these works are voluminous. For example, al-Nawawī often quotes from Imam al-Ḥaramayn, who wrote a large number of books. As mentioned in the biographical note on Imam al-Ḥaramayn, one of his books is published in twenty-one volumes. Although a discerning scholar may have a good guess as to the book from which a particular quote is taken, finding it may require several hours, if not days of hard work. Imam al-Nawawī died 750 years ago and we cannot blame him for not citing his references according to modern methods of citation. It should be remembered that all the books he read were written in long hand and manuscripts of the same book differed in size, number of pages and style of writing. Readers and students must simply trust to his scholarship and piety with all that he quotes from other scholars. May God bless them all for their meticulous and faithful scholarship.

6. Notes and editorial liberty

In certain cases, it is felt that a note should be added within the text to explain certain points or add a particular perspective. This is not surprising considering that the book was written nearly eight centuries ago. In order to make the addition very clear, it is preceded by the word ‘Note’ and given an independent paragraph.

In a few cases, a sentence is started by mentioning the author’s name before mentioning what he says, such as ‘al-Nawawī considers these hadiths self-explanatory, adding only …’, and in a very few cases, a short comment by the author is not included in the translation, because time has made it irrelevant and including it would be either confusing or require a long explanatory footnote. Since it is unlikely to concern the reader, it is felt that omission is better. Such liberty is taken only in cases where it is felt that had the author lived in our time, he would have approved of such omission.

Adil Salahi

London

February 2019

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i. Shaykh Muhammad Rashīd Riḍā gave an English copy of *A Manual of the Early Muhammadan Traditions* by Arent Jan Wensinck, Professor of Arabic and Islam at the University of Leiden in Holland, to one of his regular students, Muhammad Fu’ād ʿAbd al-Bāqī, and asked him to translate it into Arabic. ʿAbd al-Bāqī, who was working as a translator at the Agricultural Bank in Cairo at the time, complied and translated the book, but first he wrote to Wensinck for his permission. Wensinck expressed delight at the idea and also sent ʿAbd al-Bāqī a copy of the first part of a concordance of the Prophet’s hadiths that he and other researchers were working on.ʿAbd al-Bāqī

reviewed the work and found many mistakes. He made a list of these and sent it to Wensinck, who was delighted with the input and recruited ʿAbd al-Bāqī as editor of the entire *al-Muʿjam al-Mufahras* concordance.

Al-Muʿjam al-Mufahras is published in Arabic in eight volumes and is indispensable for any researcher in Islamic Studies. Words are listed alphabetically, and a short sentence or phrase in which the word occurs is given. Then the hadith which includes the sentence or phrase is referenced to any of the nine anthologies. ʿAbd al-Bāqī's role is acknowledged by Wensinck in the Introduction, and working on this concordance enabled Muhammad Fu'ād ʿAbd al-Bāqī to subsequently undertake his own highly acclaimed concordance of the Qur'an.

BOOK
OF
I'TIKĀF
and Staying
in Mosques
for Days

CHAPTER 1

DURING THE LAST TEN DAYS OF RAMADAN

[2409–1]. (Dar al-Salam 2636) Muhammad ibn Mihrān al-Rāzī narrated: Ḥātim ibn Ismāʿīl narrated; from Mūsā ibn ʿUqbah; from Nāfiʿ; from Ibn ʿUmar; that **‘The Prophet (peace be upon him) used to do *iʿtikāf* [i.e., stay in the mosque for worship] during the last ten days of Ramadan’.**

حَدَّثَنَا مُحَمَّدُ بْنُ مِهْرَانَ الرَّازِيُّ، حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَعْتَكِفُ فِي الْعَشْرِ الأَوَاخِرِ مِنْ رَمَضَانَ.

[2410–2]. (Dar al-Salam 2637) Abu al-Ṭāhir narrated to me:[i] Ibn Wahb reported; Yūnus ibn Yazīd reported to me; that Nāfiʿ narrated to him; from ʿAbdullāh ibn ʿUmar; that **‘God’s Messenger (peace be upon him) used to do *iʿtikāf* in the last ten days of Ramadan’.**

Nāfiʿ said: **‘ʿAbdullāh showed me the place in the mosque where God’s Messenger used to do *iʿtikāf*’.**

وَحَدَّثَنِي ابُو الطاهِرِ، اخْبَرَنَا ابْنُ وَهْبٍ، اخْبَرَنِي يُونُسُ بْنُ يَزِيدَ، أَنَّ نَافِعًا حَدَّثَهُ عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَان.

قَالَ نَافِعٌ وَقَدْ أَرَانِي عَبْدُ اللهِ، رَضِيَ اللهُ عَنْهُ، الْـمَكَانَ الَّذِي كَانَ يَعْتَكِفُ فِيهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنَ الْـمَسْجِدِ.

[2411–3]. (Dar al-Salam 2638) Sahl ibn ʿUthmān narrated: ʿUqbah ibn Khālid al-Sakūnī narrated; from ʿUbaydullāh ibn ʿUmar; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) used to do *iʿtikāf* throughout the last ten days of Ramadan’.**

وَحَدَّثَنَا سَهْلُ بْنُ عُثْمَانَ، حَدَّثَنَا عُقْبَةُ بْنُ خَالِدٍ السَّكُونِيُّ، عَنْ عُبَيْدِ اللهِ بْنِ عُمَرَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ.

[2412–4]. (Dar al-Salam 2639) Yaḥyā ibn Yaḥyā narrated: Abu Muʿāwiyah reported [H]. Also, Sahl ibn ʿUthmān narrated; Ḥafṣ ibn Ghiyāth reported; both from Hishām [H]. And Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated (their text); both said: Ibn Numayr narrated; from Hishām ibn ʿUrwah; from his father; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) used to do *iʿtikāf* during the last ten days of Ramadan**’.

حَدّثَنَا يَحْيَى بْنُ يَحْيَى، اخْبَرَنَا ابُو مُعَاوِيَةَ، ح. وَحَدّثَنَا سَهْلُ بْنُ عُثْمَانَ، أَخْبَرَنَا حَفْصُ بْنُ غِيَاثٍ، جَمِيعًا عَنْ هِشَامٍ، ح. وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ (وَاللَّفْظُ لَـهُـمَا) قَالا: حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ.

[2413–5]. (Dar al-Salam 2640) Qutaybah ibn Saʿīd narrated[ii] Layth narrated; from ʿUqayl; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah; that **‘God’s Messenger (peace be upon him) used to do *iʿtikāf* throughout the last ten days of Ramadan. He continued to do so until God, Mighty and Exalted, gathered his soul. His wives did the same after he passed away’.**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا لَيْثٌ، عَنْ عُقَيْلٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَعْتَكِفُ الْعَشْرَ الأَوَاخِرَ مِنْ رَمَضَانَ، حَتَّى تَوَفَّاهُ اللهُ عَزَّ وَجَلَّ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ.

Text Explanation

Linguistically speaking, *iʿtikāf* means ‘to stay and commit oneself’, and in Islam it means ‘for a particular person to stay in the mosque in a particular way’. The word was given this special meaning to indicate all these elements. It is mentioned in several authentic hadiths, including the one narrated by ʿĀ’ishah and entered in the beginning of the Book of *Iʿtikāf* in al-Bukhari’s *Ṣaḥīḥ*, where she says: ‘The Prophet (peace be upon him) used to put his head to me when he was in *iʿtikāf* in the mosque, and I would comb his hair, even though I was having my period’. Muslim also enters the hadiths confirming that the Prophet used to do *iʿtikāf* during the last ten days of Ramadan and the first ten days of Shawwāl. These hadiths make clear that *iʿtikāf* is desirable, and even more so during the last ten days of Ramadan. All Muslims agree that it is desirable and that it is not a duty but a confirmed sunnah during the last third of Ramadan.

The view of al-Shāfiʿī and his school, as well as many scholars, is that fasting is not a condition for the validity of *iʿtikāf*. It is valid if done by one who is not fasting, and it is valid for an hour or a very short period. According to our Shāfiʿī School, it is valid for a stay in the mosque for any time that is longer than a proper bow [i.e., *rukūʿ*] in prayer. This is the correct view, although there is a different odd view in our school. In my view, *iʿtikāf* is valid for a person who is passing through the mosque, without intending to stay, but the first view is the better known one.

Therefore, everyone who is in a mosque, awaiting prayer, or needing to do anything that relates to any type of prayer or any normal business, is advised to intend his stay as *iʿtikāf*. It will thus be recorded for him or her and they will be rewarded for it until they leave the mosque. If a person leaves then comes back again, that person should renew the intention to be in *iʿtikāf*. The *iʿtikāf* does not have any formal prayer or glorification of God or any type of worship. Nor does it require any action other than a stay in the mosque with the intention of *iʿtikāf*. If a person is doing this and says anything of a worldly nature, or does anything, such as sewing or repairing something, etc. the *iʿtikāf* remains valid.

Mālik, Abu Ḥanīfah and the majority of scholars say that fasting is a condition for the validity of *iʿtikāf*. This means that a person who is not fasting cannot perform a valid *iʿtikāf*. They cite these hadiths as evidence. In response and in support of his view, al-Shāfiʿī cites the hadith that mentions that the Prophet did *iʿtikāf* during the first ten days of Shawwāl. This is mentioned in a hadith related by al-Bukhari and Muslim. Al-Shāfiʿī also cites a hadith in which ʿUmar said to the Prophet: 'Messenger of God, prior to becoming a Muslim, I had pledged to stay one night in *iʿtikāf*'. The Prophet said to him: 'Fulfil your pledge'. (Related by al-Bukhari and Muslim.) The night is not a time of fasting. Therefore, fasting is not a condition for the validity of *iʿtikāf*.

These hadiths make it clear that *iʿtikāf* is valid only in a mosque, as the Prophet, his wives and Companions did so in the mosque, despite the difficulty of staying there all the time. Had it been valid at home, they would have done it, at least on one occasion. This is particularly true of women who are in greater need of doing so. That *iʿtikāf* is valid only in a mosque, for both men and women, is the view of Mālik, al-Shāfiʿī, Ahmad, Dāwūd and the majority of scholars. Abu Ḥanīfah said that the woman's *iʿtikāf* is valid in her usual place of prayer at home, but it is not valid for a man in such a usual place at home. This view of Abu Ḥanīfah is shared by al-Shāfiʿī in an old view, but it is considered by scholars of his school to be unsound. A few Mālikī and Shāfiʿī scholars agree that it is valid for both men and women in their usual places of prayer at home.

As the majority of scholars insist that *iʿtikāf* may only be done in a mosque, they differ as to which mosque. Al-Shāfiʿī, Mālik and the majority of their scholars argued that *iʿtikāf* is valid in all mosques. Ahmad said that it is valid only in a mosque where regular congregational prayers are held. Abu Ḥanīfah said it must be a mosque where all prayers are held. Al-Zuhrī and other scholars said that it must be a mosque where the Friday Prayer is regularly offered. Scholars mention that Ḥudhayfah ibn al-Yamān, the Prophet's companion, said that it may be done only in one of the three mosques to which people may take a special journey: the Grand Mosque in Makkah, the Prophet's Mosque in Madinah and the Aqsa Mosque in Jerusalem. All scholars agree that there is no limit for the length of *iʿtikāf*, but God knows best.

i. Related by al-Bukhari, 2025; Abu Dāwūd, 2465; Ibn Mājah, 1773.
ii. Related by al-Bukhari, 2026; Abu Dāwūd, 2462.

CHAPTER 2

WHEN TO START *IʿTIKĀF*

[2414–6]. (Dar al-Salam 2641) Yaḥyā ibn Yaḥyā narrated:[i] Abu Muʿāwiyah reported; from Yaḥyā ibn Saʿīd; from ʿAmrah; from ʿĀ'ishah. She said: **'When God's Messenger (peace be upon him) wanted to do *iʿtikāf*, he would offer the Fajr Prayer and then enter his place of *iʿtikāf*. He once gave instructions for his tent to be set up, intending to stay in *iʿtikāf* for the last ten nights of Ramadan. Zaynab gave instructions to have her tent set up, and other wives of the Prophet gave instructions, and their tents were set up. When God's Messenger (peace be upon him) finished the Fajr Prayer, he saw these tents. He said: "Is it piety that you wish?" He then ordered that his tent be dismantled. He did not do *iʿtikāf* in [that month of] Ramadan but did it during the first ten days of Shawwāl'.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ أَنْ يَعْتَكِفَ صَلَّى الْفَجْرَ، ثُمَّ دَخَلَ مُعْتَكَفَهُ. وَإِنَّهُ أَمَرَ بِخِبَائِهِ فَضُرِبَ. أَرَادَ الاِعْتِكَافَ فِي الْعَشْرِ الأَوَاخِرِ مِنْ رَمَضَانَ. فَأَمَرَتْ زَيْنَبُ بِخِبَائِهَا فَضُرِبَ، وَأَمَرَ غَيْرُهَا مِنْ أَزْوَاجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِخِبَائِهِ فَضُرِبَ. فَلَمَّا صَلَّى

رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ الفَجْرَ نَظرَ، فَإِذَا الأَخْبِيَةُ، فَقَالَ: «آلْبِرَّ تُرِدْنَ». فَأَمَرَ بِخِبَائِهِ فَقُوِّضَ، وَتَرَكَ الإِعْتِكَافَ فِي شَهْرِ رَمَضَانَ، حَتَّى اعْتَكَفَ فِي الْعَشْرِ الأَوَّلِ مِنْ شَوَّالٍ.

[2415–7]. (Dar al-Salam 2642) Ibn Abi ʿUmar narrated: Sufyān narrated [H]. Also, ʿAmr ibn Sawwād narrated; Ibn Wahb reported; ʿAmr ibn al-Ḥārith reported [H]. And Muhammad ibn Rāfiʿ narrated to me; Abu Ahmad narrated; Sufyān narrated [H]. Further, Salamah ibn Shabīb narrated; Abu al-Mughīrah narrated; al-Awzāʿī narrated [H]. Aslo, Zuhayr ibn Ḥarb nar-rated; Yaʿqūb ibn Ibrāhīm ibn Saʿīd narrated; my father narrated; from Ibn Isḥāq; all these from Yaḥyā ibn Saʿīd; from ʿAmrah; from ʿĀ’ishah; from the Prophet (peace be upon him): **the same meaning as the hadith narrated by Abu Muʿāwiyah.**

In the narrations by Ibn ʿUyaynah, ʿAmr ibn al-Ḥārith and Ibn Isḥāq it is mentioned that ‘ʿ**Ā’ishah, Ḥafṣah and Zaynab (may God be pleased with them) were the Prophet’s wives who had their tents set up in preparation for their *i*ʿ*tikāf’*.**

وَحَدَّثَنَاهُ ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، ح وَحَدَّثَنِي عَمْرُو بْنُ سَوَّادٍ، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنَا عَمْرُو بْنُ الْحَارِثِ، ح وَحَدَّثَنِي مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا أَبُو أَحْمَدَ، حَدَّثَنَا سُفْيَانُ، ح وَحَدَّثَنِي سَلَمَةُ بْنُ شَبِيبٍ، حَدَّثَنَا أَبُو الْمُغِيرَةِ، حَدَّثَنَا الأَوْزَاعِيُّ، ح وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ بْنِ سَعْدٍ، حَدَّثَنَا أَبِي، عَنِ ابْنِ إِسْحَاقَ، كُلُّ هَؤُلاَءِ عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ، رَضِىَ اللهُ

عَنْهَا، عَنِ النّبِيِّ صَلى اللهُ عَلَيْهِ وَسَلمَ . بِمَعْنَى حَدِيثِ أَبِي مُعَاوِيَةَ.

وَفِي حَدِيثِ ابْنِ عُيَيْنَةَ وَعَمْرِو بْنِ الْحَارِثِ وَابْنِ إِسْحَاقَ ذِكْرُ عَائِشَةَ وَحَفْصَةَ وَزَيْنَبَ، رَضِيَ اللهُ عَنْهُنَّ، أَنَّهُنَّ ضَرَبْنَ الأَخْبِيَةَ لِلاِعْتِكَافِ.

Text Explanation

Hadith No. 2414 mentions that ‘When God’s Messenger (peace be upon him) wanted to do *iʿtikāf*, he would offer the Fajr Prayer and then enter his place of *iʿtikāf*’. Scholars who say that *iʿtikāf* starts from the beginning of the day cite this statement as the basis of their view. They include al-Awzāʿī and al-Thawrī. Also, al-Layth expresses this as one of his two views on the subject. Mālik, Abu Ḥanīfah, al-Shāfiʿī and Ahmad say that a person who intends to do *iʿtikāf* for a month or ten days should start shortly before sunset. They explain this hadith as meaning that the Prophet entered his special place of *iʿtikāf* after the Fajr Prayer because he wanted to be alone. It was not the time he started his *iʿtikāf*, but he started it before Maghrib of the previous night and remained in the mosque throughout the night. After Fajr Prayer, he wanted to have some privacy.

The hadith mentions that the Prophet gave instructions for his tent to be set up. Scholars said that this makes it clear that it is permissible for a person in *iʿtikāf* to keep some space in the mosque for himself where he can be alone for that period, provided that he does not inconvenience other people. A person who wants to have such a space should choose a place at the back of the mosque, so as not to disturb other people. Moreover, it will give more privacy.

The hadith then mentions that the Prophet ‘saw these tents. He said: “Is it piety that you wish?” He then ordered that his tent be dismantled’. *Qadi* ʿIyāḍ said:

> The Prophet’s words mean that he disliked his wives’ actions, although he had permitted some of them to do *iʿtikāf*, as related by al-Bukhari. The reason for his disapproval is that he feared that they might not have been sincere in their desire to do *iʿtikāf*, but rather wanted to be close to him, as they were jealous of each other. He disliked them staying in the mosque which was a public place where there were all kinds of people, including Bedouins and hypocrites. They would need to come in and out and this might expose them to what was undesirable. Alternatively, his dislike was due to the fact that he saw his wives close to him and in the mosque, which meant

that the mosque was akin to his home environment. Thus, the main purpose of *iʿtikāf*, which is to abandon all that is related to this world and family, would have been lost. Or, probably, the Prophet disliked the sight of those tents because he felt that they limited the space in the mosque.

This hadith makes it clear that it is proper for women to do *iʿtikāf* because the Prophet first permitted his wives to do it. He then stopped them for a reason. The hadith further shows that a man may stop his wife from doing *iʿtikāf* without his permission. This is agreed upon by all scholars. The question arises: if a husband gives his wife permission to do *iʿtikāf*, may he stop her after she has started it? Scholars hold different views on this point. Al-Shāfiʿī, Ahmad and Dāwūd say that he may stop his wife or his slave and take them out of a voluntary *iʿtikāf*. Mālik says that he may not. Abu Ḥanīfah said that it is permissible for a man to take his slave out of *iʿtikāf*, but not his wife.

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i. Related by al-Bukhari, 2033, 2034, 2041 and 2045; Abu Dāwūd, 2464; al-Tirmidhī, 791; al-Nasā'ī, 708; Ibn Mājah, 1771.

CHAPTER 3

GREATER DILIGENCE IN WORSHIP DURING THE LAST TEN DAYS OF RAMADAN

[2416–7]. (Dar al-Salam 2643) Isḥāq ibn Ibrāhīm al-Ḥanẓalī and Ibn Abi ʿUmar narrated:[i] both from Ibn ʿUyaynah; Isḥāq said: Sufyān ibn ʿUyaynah reported; from Abu Yaʿfūr; from Muslim ibn Ṣubayḥ; from Masrūq; from ʿĀ'ishah. She said: **'When the [last] ten [nights] started, God's Messenger (peace be upon him) spent the night in worship, awakened his family, became more diligent [in worship] and tightened his belt'.**

حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ الْحَنْظَلِيُّ، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ، قَالَ إِسْحَاقُ: أَخْبَرَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ أَبِي يَعْفُورٍ، عَنْ مُسْلِمِ بْنِ صُبَيْحٍ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا دَخَلَ الْعَشْرُ أَحْيَا اللَّيْلَ، وَأَيْقَظَ أَهْلَهُ، وَجَدَّ وَشَدَّ الْمِئْزَرَ.

[2417–8]. (Dar al-Salam 2644) Qutaybah ibn Saʿīd and Abu Kāmil al-Jaḥdarī narrated:[ii] both from ʿAbd al-Wāḥid ibn Ziyād; Qutaybah said: ʿAbd al-Wāḥid narrated; from al-Ḥasan ibn ʿUbaydullāḥ; he

said: I heard Ibrāhīm say; I heard al-Aswad ibn Yazīd say; **‘ʿĀ’ishah said: “God’s Messenger (peace be upon him) used to be more diligent in his worship during the last ten nights [of Ramadan] than at any other time”.’**

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، وَأَبُو كَامِلٍ الْجَحْدَرِيُّ، كِلاَهُمَا عَنْ عَبْدِ الْوَاحِدِ بْنِ زِيَادٍ، قَالَ قُتَيْبَةُ: حَدَّثَنَا عَبْدُ الْوَاحِدِ، عَنِ الْحَسَنِ بْنِ عُبَيْدِ اللهِ، قَالَ سَمِعْتُ إِبْرَاهِيمَ يَقُولُ: سَمِعْتُ الأَسْوَدَ بْنَ يَزِيدَ يَقُولُ: قَالَتْ عَائِشَةُ رَضِىَ اللهُ عَنْهَا: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَجْتَهِدُ فِي الْعَشْرِ الأَوَاخِرِ مَا لاَ يَجْتَهِدُ فِي غَيْرِهِ.

Text Explanation

Scholars differ in their understanding of the phrase ‘tightened his belt’. It is said that it meant exerting oneself more than usual in worship and getting eager to do what is best. In this hadith, ʿĀ’ishah uses a metaphor that means ‘dedicate oneself more fully’. Another suggestion is that in this instance, the metaphor means staying away from his wives in order to concentrate on his worship.

‘Spent the night in worship’ means that he stayed in prayer and other forms of worship almost throughout the night. ‘Awakened his family’ means that he wanted them to offer some night prayer and worship. Thus, this hadith makes it clear that it is desirable that one increases one’s worship during the last third of Ramadan, so as to spend the night in prayer and worship. Our scholars say that spending the entire night in worship is discouraged, i.e., *makrūh*, but this refers to doing it all the time. They do not say that it is discouraged if done for one or two nights, or the last ten nights of Ramadan. Hence, they say that it is desirable to do it on the two nights of the Eids and other occasions.

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i. Related by al-Bukhari, 2024; Abu Dāwūd, 1376; al-Nasā’ī, 1638; Ibn Mājah, 1768.

ii. Related by al-Tirmidhī, 796; Ibn Mājah, 1767.

CHAPTER 4

FASTING DURING DHUL-ḤIJJAH

[2418–9]. (Dar al-Salam 2645) Abu Bakr ibn Abi Shaybah, Abu Kurayb and Isḥāq narrated:[i] Abu Muʿāwiyah (Isḥāq said: ‘reported’ and the other two said: ‘narrated’); from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘I never saw God’s Messenger (peace be upon him) fasting in the ten days’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ وَإِسْحَاقُ، قَالَ إِسْحَاقُ أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: مَا رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ صَائِمًا فِي الْعَشْرِ قَطُّ.

[2419–10]. (Dar al-Salam 2646) Abu Bakr ibn Nāfiʿ al-ʿAbdī narrated to me: ʿAbd al-Raḥmān narrated; Sufyān narrated; from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah; that **‘The Prophet (peace be upon him) did not fast during the ten days’.**

وَحَدَّثَنِي أَبُو بَكْرِ بْنُ نَافِعٍ الْعَبْدِيُّ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، حَدَّثَنَا سُفْيَانُ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ،

عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، انّ النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلَّمَ لَمْ يَصُمِ الْعَشْرَ.

Text Explanation

Scholars have said that this hadith, in its two versions, may suggest that fasting during these ten days is reprehensible, or *makrūh*. The ten days in this instance mean the first nine days of the month of Dhul-Ḥijjah. They add that this is something that has been explained, because there is no discouragement whatsoever for fasting these nine days. On the contrary, fasting in these days is highly desirable, particularly on the ninth of Dhul-Ḥijjah, which is the day of attendance at Arafat by pilgrims.[ii] We have discussed hadiths highlighting the importance of this day. It is also confirmed in al-Bukhari's *Ṣaḥīḥ* that God's Messenger (peace be upon him) said: 'Good action is never better than on these days', referring to the first ten days of Dhul-Ḥijjah.

Therefore, ʿĀ'ishah's statement that the Prophet did not fast on these days suggests he had some reason to prevent him from doing so, such as illness, travel, etc. Or perhaps she did not see him fasting on these days, although he might have been fasting. This understanding of the hadith is endorsed by the hadith narrated by Hunaydah ibn Khālid; from his wife; from one of the Prophet's wives. She said: 'God's Messenger (peace be upon him) used to fast the first nine days of Dhul-Ḥijjah, the ʿĀshūrā' and three days of each month on the Monday of the month and Thursday'. This hadith is related by Abu Dāwūd, with this wording. In Ahmad's and al-Nasā'ī's versions: 'and two Thursdays', but God knows best.

Transmission

The chain of transmission of hadith No. 2419 begins as follows: ‘Abu Bakr ibn Nāfiʿ al-ʿAbdī narrated to me: ʿAbd al-Raḥmān narrated; Sufyān narrated; from al-Aʿmash’. Sufyān mentioned here is Sufyān al-Thawrī. In some original copies, Shuʿbah is mentioned in place of Sufyān. This is how *Qadi* ʿIyāḍ mentions the hadith as Muslim’s *Ṣaḥīḥ* is reported by al-Fārisī. The first chain of transmission, as given above, is the one mentioned by the majority of reporters of Muslim’s *Ṣaḥīḥ*, but God knows best.

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i. Related by Abu Dāwūd, 2439; al-Tirmidhī, 756.

ii. Fasting on the day when pilgrims are at Arafat is not recommended for those doing the hajj, but it is strongly recommended for all other Muslims.

BOOK
OF
HAJJ

CHAPTER 0

THE HAJJ

Al-Ḥajj in Arabic means ‘to go to a particular place intending to reach it’. This is the main linguistic meaning, but it was also used to refer to action and to doing something time after time. [In Islam, it means to go to Makkah to perform certain religious acts of worship, in a particular manner, on particular days and at particular places.] ʿUmrah, which is often translated as ‘mini-hajj’, linguistically means ‘a visit’.

The hajj is obligatory on every adult Muslim who is able to undertake the journey, physically and financially. Scholars hold different views with regard to whether the ʿumrah is also obligatory. Some say that it is a duty and others say it is desirable. Al-Shāfiʿī expresses two views, and the more correct of these is that it is obligatory. Scholars unanimously agree that the hajj and the ʿumrah are incumbent duties only once in a person’s lifetime, unless one makes a pledge [i.e., *nadhr*] to do either one more than once, then he must fulfil the pledge when its conditions are met. If a person enters Makkah or its surrounding Ḥaram area for something that is not regularly done, such as attending to one’s business or paying a visit, must such entry be combined with a hajj or ʿumrah? Scholars hold different opinions. Al-Shāfiʿī has two views, the more correct one is that it is desirable to do either duty in combination with his business or visit. The second view is that it is a duty to do so, provided that such a person is not entering the area to join a battle and is not in fear of being seen.[i]

Scholars also differ on the time when the duty of the hajj should be fulfilled. Al-Shāfiʿī, Abu Yūsuf and other scholars say that it is a duty to be fulfilled when convenient, unless a person thinks that he might miss the opportunity to do so if he delays it any longer. Abu Ḥanīfah, Mālik and

other scholars maintain that it is a duty to be done as soon as possible, once a person meets the condition of being able to do it, but God knows best.

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i. A battle in the Ḥaram area is only permissible if Makkah or any part of the Ḥaram area is occupied by unbelievers or rebels.

CHAPTER 1

THE STATE OF CONSECRATION, OR *IḤRĀM*, AND ITS RESTRICTIONS

[2420–1]. (Dar al-Salam 2647) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Nāfiʿ; from Ibn ʿUmar; that **‘A man asked God’s Messenger (peace be upon him) what clothes a person in *iḥrām* [i.e., the state of consecration] may wear? God’s Messenger said: “Do not wear shirts, turbans, trousers, caps or shoes. If the person cannot find slippers to wear, he may wear shoes, provided he removes the end part below his ankles. Do not wear any garment perfumed with saffron or *warce*”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَجُلاً سَأَلَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَا يَلْبَسُ الْمُحْرِمُ مِنَ الثِّيَابِ؟ فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لا تَلْبَسُوا الْقُمُصَ وَلاَ الْعَمَائِمَ، وَلاَ السَّرَاوِيلاَتِ وَلاَ الْبَرَانِسَ، وَلاَ الْخِفَافَ إِلاَّ أَحَدٌ لاَ يَجِدُ النَّعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ. وَلاَ تَلْبَسُوا مِنَ الثِّيَابِ شَيْئًا مَسَّهُ الزَّعْفَرَانُ وَلاَ الْوَرْسُ».

[2421–2]. (Dar al-Salam 2648) Yaḥyā ibn Yaḥyā, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated:[ii] all from Ibn ʿUyaynah. Yaḥyā said: Sufyān ibn ʿUyaynah reported; from al-Zuhrī; from Sālim; from his father; that **‘The Prophet (peace be upon him) was asked what clothes a person in *iḥrām* may wear? He said: “A person in *iḥrām* may not wear a shirt, turban, cloak, trousers, a garment perfumed with *warce* or saffron, or shoes. If he cannot find slippers to wear, he must cut off [the back] of his shoes below his ankles”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَعَمْرٌو النَّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، كُلُّهُمْ عَنِ ابْنِ عُيَيْنَةَ، قَالَ يَحْيَى: أَخْبَرَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، قَالَ سُئِلَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَا يَلْبَسُ الْـمُحْرِمُ؟ قَالَ: «لاَ يَلْبَسُ الْـمُحْرِمُ الْقَمِيصَ وَلاَ الْعِمَامَةَ، وَلاَ الْبُرْنُسَ وَلاَ السَّرَاوِيلَ، وَلاَ ثَوْبًا مَسَّهُ وَرْسٌ وَلاَ زَعْفَرَانٌ، وَلاَ الْخُفَّيْنِ إِلاَّ أَنْ لاَ يَجِدَ نَعْلَيْنِ فَلْيَقْطَعْهُمَا حَتَّى يَكُونَا أَسْفَلَ مِنَ الْكَعْبَيْنِ».

[2422–3]. (Dar al-Salam 2649) Yaḥyā ibn Yaḥyā narrated:[iii] I read out to Mālik; from ʿAbdullāh ibn Dīnār; from Ibn ʿUmar that he said: **‘God’s Messenger (peace be upon him) prohibited a person in *iḥrām* from wearing a garment coloured with saffron or *warce*, and he said: “Whoever cannot find slippers may wear shoes but must cut them off below the ankles”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ عَبْدِ اللهِ بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّهُ قَالَ:

نَهَى رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ انْ يَلبَسَ الْـمُحْرِمُ ثَوْبًا مَصْبُوغًا بِزَعْفَرَانٍ أَوْ وَرْسٍ، وَقَالَ: «مَنْ لَمْ يَجِدْ نَعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ».

[2423–4]. (Dar al-Salam 2650) Yaḥyā ibn Yaḥyā, Abu al-Rabīʿ al-Zahrānī and Qutaybah ibn Saʿīd narrated:[iv] all from Ḥammād. Yaḥyā said: Ḥammād ibn Zayd reported; from ʿAmr; from Jābir ibn Zayd; from Ibn ʿAbbās. He said: **‘I heard God’s Messenger (peace be upon him) addressing the people, saying: “Trousers [are permitted only] for one who cannot find a lower garment and shoes for one who cannot find slippers”. He meant for a person in *iḥrām*’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو الرَّبِيعِ الزَّهْرَانِيُّ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، جَمِيعًا عَنْ حَمَّادٍ، قَالَ يَحْيَى: أَخْبَرَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ عَمْرٍو، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ يَخْطُبُ يَقُولُ: «السَّرَاوِيلُ لِمَنْ لَمْ يَجِدِ الإِزَارَ، وَالْخُفَّانِ لِمَنْ لَمْ يَجِدِ النَّعْلَيْنِ». يَعْنِي الْـمُحْرِمَ

[2424–000]. (Dar al-Salam 2651) Muhammad ibn Bashshār narrated: Muhammad (meaning Ibn Jaʿfar) narrated [H]. Also, Abu Ghassān al-Rāzī narrated to me; Bahz narrated; both said: Shuʿbah narrated; from ʿAmr ibn Dīnār; with the same chain of transmission; that **he heard the Prophet (peace be upon him) addressing the people at Arafat and narrated the same hadith.**

حَدّثَنَا مُحَمَّدُ بْنُ بَشّارٍ، حَدّثَنَا مُحَمَّدٌ يَعْنِي ابْنَ جَعْفَرٍ، ح وَحَدَّثَنِي أَبُو غَسَّانَ الرَّازِيُّ، حَدَّثَنَا بَهْزٌ، قَالاِ جَمِيعًا: حَدَّثَنَا شُعْبَةُ، عَنْ عَمْرِو بْنِ دِينَارٍ، بِهَذَا الإِسْنَادِ أَنَّهُ سَمِعَ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ بِعَرَفَاتٍ، فَذَكَرَ هَذَا الْحَدِيثَ.

[2425–000]. (Dar al-Salam 2652) Abu Bakr ibn Abi Shaybah narrated: Sufyān ibn ʿUyaynah narrated [H]. Also, Yaḥyā ibn Yaḥyā narrated; Hushaym reported [H]. And Abu Kurayb narrated; Wakīʿ narrated; from Sufyān [H]. Further, ʿAlī ibn Khashram narrated; ʿĪsā ibn Yūnus reported; from Ibn Jurayj [H]. Also, ʿAlī ibn Ḥujr narrated to me; Ismāʿīl narrated; from Ayyūb; all these from ʿAmr ibn Dīnār; with the same chain of transmission: **none of them mentioned that the Prophet was addressing the people at Arafat, except Shuʿbah.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، ح وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا هُشَيْمٌ، ح وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، ح وَحَدَّثَنَا عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى بْنُ يُونُسَ، عَنِ ابْنِ جُرَيْجٍ، ح وَحَدَّثَنِي عَلِيُّ بْنُ حُجْرٍ، حَدَّثَنَا إِسْمَاعِيلُ، عَنْ أَيُّوبَ، كُلُّ هَؤُلاَءِ عَنْ عَمْرِو بْنِ دِينَارٍ، بِهَذَا الإِسْنَادِ وَلَمْ يَذْكُرْ أَحَدٌ مِنْهُمْ يَخْطُبُ بِعَرَفَاتٍ، غَيْرُ شُعْبَةَ وَحْدَهُ.

[2426–5]. (Dar al-Salam 2653) Ahmad ibn ʿAbdullāh ibn Yūnus narrated: Zuhayr narrated; Abu al-Zubayr narrated; from Jābir. He said: **‘God’s Messenger (peace be upon him) said: “Whoever**

cannot find slippers may wear shoes, and whoever cannot find a lower garment may wear trousers”.’

وَحَدَّثَنَا أَحْمَدُ بْنُ عَبْدِ اللهِ بْنِ يُونُسَ، حَدَّثَنَا زُهَيْرٌ، حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرٍ، رَضِيَ اللهُ عَنْهُ، قَالَ قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ لَمْ يَجِدْ نَعْلَيْنِ فَلْيَلْبَسْ خُفَّيْنِ، وَمَنْ لَمْ يَجِدْ إِزَارًا فَلْيَلْبَسْ سَرَاوِيلَ».

[2427–6]. (Dar al-Salam 2654) Shaybān ibn Farrūkh narrated:[v] Hammām narrated; ʿAṭā’ ibn Abi Rabāḥ narrated; from Ṣafwān ibn Yaʿlā ibn Umayyah; from his father. He said: **‘A man came to the Prophet (peace be upon him) at al-Jiʿrānah, wearing a wide cloak showing saffron-based perfume (or traces of yellowness). He said: “What do you command me to do in my ʿumrah?” [At that moment] the Prophet received revelations, and he was covered with a garment. Yaʿlā used to say: “I wish I could see the Prophet (peace be upon him) as revelations were given to him”. [ʿUmar] said: “Would you like to see the Prophet (peace be upon him) as revelations are given to him?” ʿUmar lifted the corner of the garment and I looked at him as he breathed with sound, (and I think he said) similar to that of a young camel. When it was over, he said: “Where is the man asking about the ʿumrah? Wash off these traces of yellowness (or he said the traces of perfume) and take off your cloak and do in your ʿumrah the same as you do in your hajj”.’**

حَدَّثَنَا شَيْبَانُ بْنُ فَرُّوخَ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا عَطَاءُ بْنُ أَبِي رَبَاحٍ، عَنْ صَفْوَانَ بْنِ يَعْلَى بْنِ أُمَيَّةَ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

وَهُوَ بِالجِعْرَانَةِ، عَلَيْهِ جُبَّةٌ وَعَلَيْهَا خَلوقٌ - اوْ قَالَ اثَرُ صُفْرَةٍ - فَقَالَ: كَيْفَ تَأْمُرُنِي أَنْ أَصْنَعَ فِي عُمْرَتِي؟ قَالَ وَأَنْزِلَ عَلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْوَحيُ، فَسُتِرَ بِثَوْبٍ. وَكَانَ يَعْلَى يَقُولُ: وَدِدْتُ أَنِّي أَرَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَقَدْ نَزَلَ عَلَيْهِ الْوَحْيُ. - قَالَ - فَقَالَ: أَيَسُرُّكَ أَنْ تَنْظُرَ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَقَدْ أُنْزِلَ عَلَيْهِ الْوَحْيُ؟ قَالَ: فَرَفَعَ عُمَرُ طَرَفَ الثَّوْبِ، فَنَظَرْتُ إِلَيْهِ لَهُ غَطِيطٌ - قَالَ وَأَحْسِبُهُ قَالَ: كَغَطِيطِ الْبَكْرِ. - قَالَ - فَلَمَّا سُرِّيَ عَنْهُ قَالَ: «أَيْنَ السَّائِلُ عَنِ الْعُمْرَةِ؟ اغْسِلْ عَنْكَ أَثَرَ الصُّفْرَةِ - أَوْ قَالَ أَثَرَ الْخَلُوقِ - وَاخْلَعْ عَنْكَ جُبَّتَكَ، وَاصْنَعْ فِي عُمْرَتِكَ مَا أَنْتَ صَانِعٌ فِي حَجِّكَ».

[2428–7]. (Dar al-Salam 2655) Ibn Abi ʿUmar narrated: Sufyān narrated; from ʿAmr; from ʿAṭā’; from Ṣafwān ibn Yaʿlā; from his father. He said: **‘I was with the Prophet (peace be upon him) at al-Jiʿrānah when a man came to him wearing a tailored garment (meaning a cloak), having used much of a saffron-based perfume. He said: “I have started the ʿumrah and I am wearing this garment, having used much of this perfume”. The Prophet said to him: “What would you have done if you were on hajj?” The man said: “I would take off these clothes and wash off this perfume”. The Prophet said to him: “Whatever you would do in your hajj, then do the same for your ʿumrah”.’**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، قَالَ حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرٍو، عَنْ عَطَاءٍ، عَنْ صَفْوَانَ بْنِ يَعْلَى، عَنْ أَبِيهِ قَالَ: أَتَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَجُلٌ وَهُوَ بِالْجِعْرَانَةِ وَأَنَا عِنْدَ

النّبِيِّ صَلى اللهُ عَلَيْهِ وَسَلمَ وَعَلَيْهِ مُقَطعَاتٌ - يَعْنِي جُبّةً - وَهُوَ مُتَضَمِّخٌ بِالْخَلُوقِ، فَقَالَ: إِنِّي أَحْرَمْتُ بِالْعُمْرَةِ وَعَلَىَّ هَذَا وَأَنَا مُتَضَمِّخٌ بِالْخَلُوقِ. فَقَالَ لَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَا كُنْتَ صَانِعًا فِي حَجِّكَ؟» قَالَ: أَنْزِعُ عَنِّي هَذِهِ الثِّيَابَ، وَأَغْسِلُ عَنِّي هَذَا الْخَلُوقَ. فَقَالَ لَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَا كُنْتَ صَانِعًا فِي حَجِّكَ فَاصْنَعْهُ فِي عُمْرَتِكَ».

[2429–8]. (Dar al-Salam 2656) Zuhayr ibn Ḥarb narrated to me: Ismāʿīl ibn Ibrāhīm narrated [H]. Also, Muhammad ibn Bakr reported; both said: Ibn Jurayj reported [H]. And ʿAlī ibn Khashram narrated (his text); ‘Īsā reported; from Ibn Jurayj; ʿAṭā’ reported to me; that Ṣafwān ibn Yaʿlā ibn Umayyah reported to him; that **‘Yaʿlā used to say to ʿUmar ibn al-Khaṭṭāb: “I wish I could see the Prophet of God when he is receiving revelations”. The Prophet was at al-Jiʿrānah using a robe to provide some shade, and some of his Companions, including ʿUmar, were with him, when a man came over, wearing a woollen wide cloak and having used much perfume. He said: “Messenger of God, what would you say to a man who has entered into *iḥrām* for ʿumrah wearing a wide cloak and having used perfume?” The Prophet looked at him for a while but remained silent. He then received revelations. ʿUmar signalled with his hand to Yaʿlā to come forward. Yaʿlā came and looked in. He saw the Prophet (peace be upon him) with his face red, breathing soundly for a while, then it was all over. He said: “Where is the man who earlier asked me about the ʿumrah?” They looked for the man and brought him over. The Prophet said: “As for the perfume you are wearing, wash it off three times, and take off your**

cloak. Then do in your ʿumrah the same as you do in your hajj”.’

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، ح وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، قَالا: أَخْبَرَنَا ابْنُ جُرَيْجٍ، ح وَحَدَّثَنَا عَلِيُّ بْنُ خَشْرَمٍ (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا عِيسَى، عَنِ ابْنِ جُرَيْجٍ، قَالَ أَخْبَرَنِي عَطَاءٌ، أَنَّ صَفْوَانَ بْنَ يَعْلَى بْنِ أُمَيَّةَ أَخْبَرَهُ أَنَّ يَعْلَى كَانَ يَقُولُ لِعُمَرَ بْنِ الْخَطَّابِ، رَضِيَ اللهُ عَنْهُ، لَيْتَنِي أَرَى نَبِيَّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِينَ يُنْزَلُ عَلَيْهِ. فَلَمَّا كَانَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْجِعْرَانَةِ وَعَلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ثَوْبٌ قَدْ أُظِلَّ بِهِ عَلَيْهِ، مَعَهُ نَاسٌ مِنْ أَصْحَابِهِ فِيهِمْ عُمَرُ، إِذْ جَاءَهُ رَجُلٌ عَلَيْهِ جُبَّةُ صُوفٍ، مُتَضَمِّخٌ بِطِيبٍ، فَقَالَ: يَا رَسُولَ اللهِ كَيْفَ تَرَى فِي رَجُلٍ أَحْرَمَ بِعُمْرَةٍ فِي جُبَّةٍ بَعْدَ مَا تَضَمَّخَ بِطِيبٍ؟ فَنَظَرَ إِلَيْهِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ سَاعَةً، ثُمَّ سَكَتَ. فَجَاءَهُ الْوَحْيُ. فَأَشَارَ عُمَرُ بِيَدِهِ إِلَى يَعْلَى بْنِ أُمَيَّةَ: تَعَالَ. فَجَاءَ يَعْلَى، فَأَدْخَلَ رَأْسَهُ، فَإِذَا النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُحْمَرُّ الْوَجْهِ، يَغِطُّ سَاعَةً ثُمَّ سُرِّيَ عَنْهُ، فَقَالَ: «أَيْنَ الَّذِي سَأَلَنِي عَنِ الْعُمْرَةِ آنِفًا؟» فَالْتُمِسَ الرَّجُلُ فَجِيءَ بِهِ. فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «أَمَّا الطِّيبُ الَّذِي بِكَ فَاغْسِلْهُ ثَلَاثَ مَرَّاتٍ، وَأَمَّا الْجُبَّةُ فَانْزِعْهَا، ثُمَّ اصْنَعْ فِي عُمْرَتِكَ مَا تَصْنَعُ فِي حَجِّكَ».

[2430–9]. (Dar al-Salam 2657) ʿUqbah ibn Mukram al-ʿAmmiy and Muhammad ibn Rāfiʿ narrated (Ibn Rāfiʿ’s text): both said:

Wahb ibn Jarīr ibn Ḥāzim narrated; my father narrated; he said: I heard Qays narrating from ʿAṭā’; from Ṣafwān ibn Yaʿlā ibn Umayyah; from his father; that **‘A man came to the Prophet (peace be upon him) when he was at al-Jiʿrānah. [The man] had initiated the ʿumrah, but he had used yellow perfume on his beard and head and was wearing a wide cloak. He said: “Messenger of God, I have started the *iḥrām* for ʿumrah in this condition as you see”. The Prophet said to him: “Take off your cloak and wash off the yellow [perfume]. Whatever you do in your hajj, do the same for your ʿumrah”.’**

وَحَدَّثَنَا عُقْبَةُ بْنُ مُكْرَمٍ الْعَمِّيُّ، وَمُحَمَّدُ بْنُ رَافِعٍ، (وَاللَّفْظُ لِابْنِ رَافِعٍ) قَالا: حَدَّثَنَا وَهْبُ بْنُ جَرِيرِ بْنِ حَازِمٍ، حَدَّثَنَا أَبِي قَالَ: سَمِعْتُ قَيْسًا يُحَدِّثُ عَنْ عَطَاءٍ، عَنْ صَفْوَانَ بْنِ يَعْلَى بْنِ أُمَيَّةَ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، أَنَّ رَجُلاً أَتَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ بِالْجِعْرَانَةِ، قَدْ أَهَلَّ بِالْعُمْرَةِ وَهُوَ مُصَفِّرٌ لِحْيَتَهُ وَرَأْسَهُ، وَعَلَيْهِ جُبَّةٌ فَقَالَ: يَا رَسُولَ اللهِ إِنِّي أَحْرَمْتُ بِعُمْرَةٍ وَأَنَا كَمَا تَرَى. فَقَالَ: «انْزِعْ عَنْكَ الْجُبَّةَ، وَاغْسِلْ عَنْكَ الصُّفْرَةَ. وَمَا كُنْتَ صَانِعًا فِي حَجِّكَ فَاصْنَعْهُ فِي عُمْرَتِكَ».

[2431–10]. (Dar al-Salam 2658) Isḥāq ibn Manṣūr narrated to me: Abu ʿAlī ʿUbaydullāh ibn ʿAbd al-Majīd reported; Rabāḥ ibn Abi Maʿrūf narrated; he said: I heard ʿAṭā’ say: Ṣafwān ibn Yaʿlā reported to me; from his father. He said: **‘We were with God’s Messenger (peace be upon him) when a man wearing a wide cloak with traces of saffron-based perfume on it came over. He said: “Messenger of God, I have started the *iḥrām* for ʿumrah. What should I do?” The Prophet remained silent and did not**

answer him. ʿUmar used to cover him when he received revelations to give him shade. I said to ʿUmar: “I would love to put my head under his cover when he receives revelations”. When revelations were given to him, ʿUmar covered him with the robe and I came over and put my head under the robe. I looked at him. When it was over, he said: “Where is the man who asked earlier about the ʿumrah?” The man stood up. The Prophet said to him: “Take off your cloak and wash off the traces of the perfume on your body. Do in your ʿumrah the same as you do in your hajj”.’

وَحَدَّثَنِي إِسْحَاقُ بْنُ مَنْصُورٍ، أَخْبَرَنَا أَبُو عَلِيٍّ عُبَيْدُ اللهِ بْنُ عَبْدِ الْـمَجِيدِ، حَدَّثَنَا رَبَاحُ بْنُ أَبِي مَعْرُوفٍ قَالَ: سَمِعْتُ عَطَاءً، قَالَ أَخْبَرَنِي صَفْوَانُ بْنُ يَعْلَى، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، قَالَ: كُنَّا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَتَاهُ رَجُلٌ عَلَيْهِ جُبَّةٌ بِهَا أَثَرٌ مِنْ خَلُوقٍ، فَقَالَ: يَا رَسُولَ اللهِ إِنِّي أَحْرَمْتُ بِعُمْرَةٍ، فَكَيْفَ أَفْعَلُ؟ فَسَكَتَ عَنْهُ فَلَمْ يَرْجِعْ إِلَيْهِ. وَكَانَ عُمَرُ يَسْتُرُهُ إِذَا أُنْزِلَ عَلَيْهِ الْوَحْيُ، يُظِلُّهُ. فَقُلْتُ لِعُمَرَ، رَضِيَ اللهُ عَنْهُ، إِنِّي أُحِبُّ إِذَا أُنْزِلَ عَلَيْهِ الْوَحْيُ أَنْ أَدْخِلَ رَأْسِي مَعَهُ فِي الثَّوْبِ. فَلَمَّا أُنْزِلَ عَلَيْهِ،خَمَّرَهُ عُمَرُ، رَضِيَ اللهُ عَنْهُ، بِالثَّوْبِ. فَجِئْتُهُ فَأَدْخَلْتُ رَأْسِي مَعَهُ فِي الثَّوْبِ، فَنَظَرْتُ إِلَيْهِ، فَلَمَّا سُرِّيَ عَنْهُ قَالَ: «أَيْنَ السَّائِلُ آنِفًا عَنِ الْعُمْرَةِ؟» فَقَامَ إِلَيْهِ الرَّجُلُ فَقَالَ: «انْزِعْ عَنْكَ جُبَّتَكَ، وَاغْسِلْ أَثَرَ الْخَلُوقِ الَّذِي بِكَ، وَافْعَلْ فِي عُمْرَتِكَ مَا كُنْتَ فَاعِلاً فِي حَجِّكَ».

Text Explanation

When the Prophet was asked about what a man in a state of consecration, i.e., *iḥrām*, may wear, he said: ‘Do not wear shirts, turbans, trousers, caps or shoes. If the person cannot find slippers to wear, he may wear shoes, provided he removes the end part below his ankles. Do not wear any garment perfumed with saffron or *warce*’.[vi] Scholars have said that the Prophet’s answer equates with fine, eloquent speech. The Prophet’s reply was to identify what such a person may not wear, meaning that he may wear anything else. What is restricted and may not be worn by a person in *iḥrām* is limited, while what may be worn is everything else. This is the best way of giving a full answer in clear and concise speech.

All scholars agree that a man in *iḥrām*, or consecration, may not wear any of the types of clothing the Prophet mentioned. Shirts and trousers indicate everything that is close to them, which means any article of clothing that is sewn or tailored to fit a person or any part of his body, such as a vest, jacket, jumper, shorts or gloves, etc. Turbans and caps refer to everything that covers one’s head, whether sewn or not, including a headband. If a man needs a headband to cover a head injury or relieve a headache, he may wear it, but he must give the required redemption. Shoes refer to all that covers one’s feet, including boots and socks. All these apply to men only.

During *iḥrām* a woman covers all her body with any type of clothing, except her face. She is forbidden from covering her face with anything. Scholars hold different opinions about the prohibition of wearing gloves to cover her hands. Al-Shāfiʿī gives two views, but the view which is more correct is that covering her hands is also forbidden.

The Prophet mentions that a person in *iḥrām* may not use saffron or *warce*, and this includes all types of perfume. It is forbidden for both men and women to wear any type of perfume while they are in a state of consecration. What is meant here is anything that is used to impart a good smell, but what has a pleasant smell such as citrus fruit, apples, wildflowers, etc. are not forbidden because they are not used as a perfume.

Scholars argue that the purpose of prohibiting the wearing of such clothing during *iḥrām* is to stay away from all aspects of finery and luxury. Hence, a man may only wear two untailored pieces of cloth, using them as an upper and a lower garment. He is undertaking a journey that requires him to show humility before God, and he should remember, at all times, that he is in consecration. This should always make him mindful of the need to glorify and praise God and to attend fully to his worship, refraining from doing whatever is prohibited. His appearance reminds him of death when he has nothing but a shroud. He will have thoughts of resurrection on the Day of Judgement, when people will rise naked and barefoot, responding to the summoner. The purpose of prohibiting perfumes and sex is to keep all the desires and pleasures of this life away from the pilgrim so that they focus only on the life to come.

In the same hadith, No. 2420 the Prophet adds a concession: 'If the person cannot find slippers to wear, he may wear shoes, provided he removes the end part below his ankles'. And in hadith No. 2423 and No. 2426 narrated by Ibn ʿAbbās and Jābir respectively, the Prophet says that a person who cannot find slippers may wear shoes, but does not mention that they should be cut in the back below the ankles. Scholars differ in their understanding of these hadiths. Ahmad said that in this case, shoes may be worn as they are, and they need not be cut. He cites the hadiths narrated by Ibn ʿAbbās and Jābir in support of his view. His disciples claim that these hadiths abrogated the hadith narrated by Ibn ʿUmar stating the need to cut the shoes. They add that to cut them is to waste money. On the other hand, Mālik, Abu Ḥanīfah, al-Shāfiʿī and the great majority of scholars rely on the hadith narrated by Ibn ʿUmar and maintain that shoes may not be worn by a person in *iḥrām* unless they are cut below the ankles, as stated in the hadith narrated by Ibn ʿUmar. They add that Ibn ʿAbbās' and Jābir's hadiths speak generally and, therefore, they must be understood in the same terms as the hadith that is more restricting. Addition by a reliable narrator is acceptable. To claim that cutting the shoes in this way means wasting money is incorrect. Money is wasted when spent on something that is forbidden. When it is spent on doing what is a duty, it must be willingly given, but God knows best.

Scholars also differ about whether the person who wears shoes during *iḥrām* because he cannot find slippers is required to pay redemption or not. Mālik, al-Shāfiʿī and others say that no redemption is due because the Prophet would have stated it clearly if such was the case. Abu Ḥanīfah and his disciples argued that a redemption is required in the same way as it is required from one who has to shave his head during *iḥrām* because of some disease or harm affecting his head, but God knows best.

In explaining the restrictions during *iḥrām*, the Prophet says: 'Do not wear any garment perfumed with saffron or *warce*'. All Muslims agree that wearing such garments is forbidden because of the perfume. In this, they include all types of perfume. The reason for this prohibition is that the fine smell of perfume stirs sexual desire, and it is contrary to the attitude of humility required of pilgrims. A pilgrim should appear in a rough condition. The prohibition of perfumes is the same for men and women. Indeed, all the restrictions of *iḥrām* apply equally to men and women, except for dress, which has been explained. There are seven things that are forbidden during *iḥrām*: clothes as detailed above, perfumes, removal of hair, clipping nails, dressing one's beard or head, making a marriage contract, sexual intercourse with one's spouse and all sexual enjoyment including masturbation. The seventh is killing game animals, but God knows best.

If a person who is in a state of consecration, or *iḥrām*, deliberately uses perfume or wears what is not allowed, he must pay a redemption. This is unanimously agreed upon. If he does this forgetting that he is in *iḥrām*, no redemption is required according to al-Thawrī, al-Shāfiʿī, Ahmad and Isḥāq, but Mālik and Abu Ḥanīfah say that a redemption is required. Garments dyed with safflower are not prohibited according to Mālik and al-Shāfiʿī, but al-Thawrī and Abu Ḥanīfah consider such dye as perfume and make such garments forbidden, requiring redemption by anyone wearing them. It is further discouraged, not forbidden, for a man in *iḥrām* to wear a dyed garment if the dye does not give a smell, but God knows best.

In hadith No. 2423 the Prophet says: 'Trousers [are permitted only] for one who cannot find a lower garment, and shoes for one who cannot find slippers'. This is clear evidence in support of the view of al-Shāfiʿī and the majority of scholars that it is permissible to wear trousers if a person who is in *iḥrām* cannot find a lower garment that meets the applicable restrictions.

Mālik disapproves of it because it is not mentioned in hadith No. 2420 narrated by Ibn ʿUmar. The correct view is that it is permissible on the basis of the hadith narrated by Ibn ʿAbbās and hadith No. 2426 narrated by Jābir. Ibn ʿUmar's hadith does not provide any evidence because it mentions a scenario when a suitable lower garment is available, while the two hadiths narrated by Ibn ʿAbbās and Jābir mention the case of unavailability, but God knows best.

In hadith No. 2427 the Prophet says to the man asking about the ʿumrah: 'Wash off these traces of yellowness (or he said the traces of perfume) and take off your cloak and do in your ʿumrah the same as you do in your hajj'. His instruction, 'wash off these traces of yellowness', means that perfume is forbidden during *iḥrām*, to apply or to keep. If it is forbidden to keep, then to apply it while in *iḥrām* is even more so. The hadith also means that all the above-detailed seven prohibitions apply to the ʿumrah in the same way as they do to the hajj. The hadith further shows that if a person in *iḥrām* touches perfume, either forgetting or being unaware of the ruling, then comes to realise it, he must remove it straightaway. Moreover, in such case of forgetting or unawareness, no redemption is due according to al-Shāfiʿī, ʿAṭā', al-Thawrī, Isḥāq and Dāwūd. On the other hand, Mālik, Abu Ḥanīfah, al-Muzanī and Ahmad in the more correct of his two reported views say that a redemption is due. However, the correct view in the Mālikī School is that redemption is due from the one wearing perfume as a result of forgetting or unawareness only if its effect is lasting, but God knows best.

The Prophet also tells the man: 'take off your cloak'. This is the basis of the view of Mālik, Abu Ḥanīfah, al-Shāfiʿī and the majority of scholars saying that if a man in *iḥrām* happens to wear some tailored garment, he must take it off and does not have to tear it off. Al-Shaʿbī and al-Nakhaʿī say that taking it off over one's head is not permissible because it may thus cover his head. Therefore, he must tear it off. This view does not have sound basis.

The Prophet adds: 'Do in your ʿumrah the same as you do in your hajj'. This refers to avoiding whatever is forbidden. However, the Prophet might also have meant performing the duties of the ʿumrah, i.e., the *ṭawāf*, *saʿī* and shaving one's head or cutting one's hair, as they should be done, as well

as repeating aloud the recommended phrases. These are all actions done in both the hajj and the ʿumrah. The Prophet's statement does not apply to actions that are included in the hajj but which are not part of the ʿumrah, such as attendance at Arafat, stoning, staying in Mina or Muzdalifah, etc. This hadith clearly implies that the Prophet's questioner was aware of how to conduct the hajj but not the ʿumrah. This is the reason the Prophet said to him: 'Do in your ʿumrah the same as you do in your hajj'.

This hadith, No. 2427 provides the basis of the well-known rule that if a judge or a scholar is unaware of the ruling applicable to a particular case or question, he must not give an answer until he has established the ruling according to the relevant conditions. The hadith also shows that some rulings that are not mentioned in the Qur'an are given by revelations that are not recited as the Qur'an. The hadith may also be taken as evidence in support of the view of some scholars of legal theory [i.e., *Uṣūl al-Fiqh*] that the Prophet could not give a ruling through his own discretion. He gave rulings only on the basis of revelations. But the hadith does not provide such evidence because it is probable that the Prophet could not decide the answer through discretion in this particular case. Alternatively, the revelations might have been given immediately, before he could look into the matter to give an answer, but God knows best.

The same hadith includes: 'Yaʿlā used to say: "I wish I could see the Prophet (peace be upon him) as revelations were given to him". He said: "Would you like to see the Prophet (peace be upon him) as revelations are given to him?"' This is how the hadith occurs in all original copies, saying: 'He said: "would you like…"', without mentioning the name of the person saying it. It was ʿUmar ibn al-Khaṭṭāb, as explained in the next hadith.

In hadith No. 2429 Yaʿlā mentions that when he saw the Prophet as he was receiving revelations, his face was red and he was breathing soundly for a while. This is due to the fact that the process of receiving revelations was hard for the Prophet, as stated in the Qur'an: 'We shall bestow on you a weighty message'. (73: 5)

In the same hadith, the Prophet tells the man to wash off the perfume three times. He wanted him to do it three times to ensure the removal of its colour as well as its smell. What is required as a duty is to remove it. If it is achieved by one wash, that is sufficient. It may be that the man had used

much perfume and therefore, the Prophet instructed him to wash it off three times. *Qadi* ʿIyāḍ said that it may be that the Prophet said his instruction three times, but the correct thing is what we have said, but God knows best.

That Yaʿlā put his head forward and looked at the Prophet as he was receiving revelations, and that ʿUmar permitted him to do so, are all understood to indicate that they were aware that the Prophet did not dislike being seen in such a condition. Indeed, it strengthened their faith as they saw the process of revelation, but God knows best.

Transmission

In several chains of transmission of the hadiths in this chapter one of the narrators is mentioned as Ṣafwān ibn Yaʿlā ibn Umayyah. In some versions, his name is stated as Ibn Munyah, instead of Umayyah. Both versions are correct. Umayyah was Yaʿlā's father while Munyah was his mother. He is thus mentioned at times as his father's son and, at others, his mother's name is mentioned instead.

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i. Related by al-Bukhari, 1542, 5803; Abu Dāwūd, 1824; al-Nasā'ī, 2673, 2668; Ibn Mājah, 2929, 2932.

ii. Related by al-Bukhari, 5806; Abu Dāwūd, 1823; al-Nasā'ī, 2666.

iii. Related by al-Bukhari, 5852; al-Nasā'ī, 2665; Ibn Mājah, 2932.

iv. Related by al-Bukhari, 1841, 1843, 5804, 5853; al-Tirmidhī in similar wording, 834; Abu Dāwūd, 1829; al-Nasā'ī, 2670, 2671, 2678 and in similar wording 5340; Ibn Mājah, 2931.

v. Related by al-Bukhari, 1536, 1789, 4329, 4985, 1847; Abu Dāwūd, 1819, 1820, 1821, 1822; al-Tirmidhī in a shorter version, 836; al-Nasā'ī, 2667, 2708, 2709

vi. *Warce* is the name of a perennial plant used as a dye. If it is used on clothes, it gives a strong yellow colour and apparently has a pleasant smell.

CHAPTER 2

THE POINTS WHERE *IḤRĀM* STARTS

[2432–11]. (Dar al-Salam 2659) Yaḥyā ibn Yaḥyā, Khalaf ibn Hishām, Abu al-Rabīʿ and Qutaybah narrated:[i] all from Ḥammād. Yaḥyā said: Ḥammād ibn Zayd reported; from ʿAmr ibn Dīnār; from Ṭāwūs; from Ibn ʿAbbās. He said: **‘God’s Messenger (peace be upon him) defined Dhul-Ḥulayfah for the people of Madinah, al-Juḥfah for the people of Syria [i.e., al-Sham], Qarn al-Manāzil for the people of Najd, and Yalamlam for the people of Yemen. He said: “They are for them, and for whoever passes through them other than their own people, who is aiming for the hajj or the ʿumrah. Whoever is closer than these [starts] from their own quarters, even closer and closer, and even the people of Makkah start from Makkah”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَخَلَفُ بْنُ هِشَامٍ، وَأَبُو الرَّبِيعِ، وَقُتَيْبَةُ، جَمِيعًا عَنْ حَمَّادٍ، قَالَ يَحْيَى: أَخْبَرَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: وَقَّتَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ، وَلأَهْلِ الشَّامِ الْجُحْفَةَ، وَلأَهْلِ نَجْدٍ قَرْنَ الْمَنَازِلِ، وَلأَهْلِ الْيَمَنِ يَلَمْلَمَ. قَالَ: «فَهُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ

الحَجّ وَالعُمْرَةَ. فَمَنْ كَانَ دُونَهُنَّ فَمِنْ اهْلِهِ، وَكَذَا فَكَذَلِكَ، حَتَّى أَهْلُ مَكَّةَ يُهِلُّونَ مِنْهَا».

[2433–12]. (Dar al-Salam 2660) Abu Bakr ibn Abi Shaybah narrated:[ii] Yaḥyā ibn Adam narrated; Wuhayb narrated; ʿAbdullāh ibn Ṭāwūs narrated; from his father; from Ibn ʿAbbās; that **‘God’s Messenger (peace be upon him) defined Dhul-Ḥulayfah for the people of Madinah, al-Juḥfah for the people of Syria, Qarn al-Manāzil for the people of Najd and Yalamlam for the people of Yemen, and he said: “These are for them, and for whoever comes through them from elsewhere, aiming for the hajj or the ʿumrah. Whoever is nearer than these, then from their own starting places, and even the people of Makkah, from Makkah”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا يَحْيَى يْنُ آدَمَ، حَدَّثَنَا وُهَيْبٌ، حَدَّثَنَا عَبْدُ اللهِ بْنُ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَقَّتَ لأَهْلِ الْـمَدِينَةِ ذَا الْحُلَيْفَةِ، وَلأَهْلِ الشَّامِ الْجُحْفَةَ، وَلأَهْلِ نَجْدٍ قَرْنَ الْـمَنَازِلِ، وَلأَهْلِ الْيَمَنِ يَلَمْلَمَ. وَقَالَ: «هُنَّ لَهُمْ وَلِكُلِّ آتٍ أَتَى عَلَيْهِنَّ مِنْ غَيْرِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ. وَمَنْ كَانَ دُونَ ذَلِكَ فَمِنْ حَيْثُ أَنْشَأَ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ».

[2434–13]. (Dar al-Salam 2661) Yaḥyā ibn Yaḥyā narrated:[iii] he said: I read out to Mālik; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) said: “The people of Madinah**

start their *iḥrām* from Dhul-Ḥulayfah, the people of Syria from al-Juḥfah, the people of Najd from Qarn”.’

ʿAbdullāh said: **‘And I was informed that God’s Messenger (peace be upon him) said: “And the people of Yemen from Yalamlam”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «يُهِلُّ أَهْلُ الْـمَدِينَةِ مِنْ ذِي الْحُلَيْفَةِ، وَأَهْلُ الشَّامِ مِنَ الْجُحْفَةِ، وَأَهْلُ نَجْدٍ مِنْ قَرْنٍ».

قَالَ عَبْدُ اللهِ: وَبَلَغَنِي أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «وَيُهِلُّ أَهْلُ الْيَمَنِ مِنْ يَلَمْلَمَ».

[2435–14]. (Dar al-Salam 2662) Ḥarmalah ibn Yaḥyā narrated to me:[iv] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from Sālim ibn ʿAbdullāh ibn ʿUmar ibn al-Khaṭṭāb; from his father. He said: **‘I heard God’s Messenger (peace be upon him) say: “The starting place of the people of Madinah is Dhul-Ḥulayfah, the people of Syria is Mahyaʿah, which is al-Juḥfah, and the people of Najd is Qarn”.’**

ʿAbdullāh ibn ʿUmar said: **‘And people said that God’s Messenger said (but I did not hear it from him) that “And the starting place of the people of Yemen is Yalamlam”.’**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ بْنِ الْخَطَّابِ، رَضِيَ اللهُ عَنْهُ، عَنْ أَبِيهِ، قَالَ: سَمِعْتُ

رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ يَقُولَ: «مُهَلّ اهْلِ الْـمَدِينَةِ ذُو الْحُلَيْفَةِ، وَمُهَلُّ أَهْلِ الشَّامِ مَهْيَعَةُ وَهِيَ الْجُحْفَةُ، وَمُهَلُّ أَهْلِ نَجْدٍ قَرْنٌ».

قَالَ عَبْدُ اللهِ بْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، وَزَعَمُوا أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ - وَلَمْ أَسْمَعْ ذَلِكَ مِنْهُ – قَالَ: «وَمُهَلُّ أَهْلِ الْيَمَنِ يَلَمْلَمُ».

[2436–15]. (Dar al-Salam 2663) Yaḥyā ibn Yaḥyā, Yaḥyā ibn Ayyūb, Qutaybah ibn Saʿīd and ʿAlī ibn Ḥujr narrated: Ismāʿīl ibn Jaʿfar (Yaḥyā said: ‘reported’ and the others said ‘narrated’); from ʿAbdullāh ibn Dīnār; that he heard Ibn ʿUmar say: **‘God’s Messenger (peace be upon him) ordered the people of Madinah to start their *iḥrām* at Dhul-Ḥulayfah, the people of Syria at al-Juḥfah and the people of Najd at Qarn’.**

ʿAbdullāh ibn ʿUmar said: **‘And I was informed that he said: “And the people of Yemen at Yalamlam”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَيَحْيَى بْنُ أَيُّوبَ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، وَعَلِيُّ بْنُ حُجْرٍ، قَالَ يَحْيَى أَخْبَرَنَا، وَقَالَ الآخَرُونِ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ عَبْدِ اللهِ بْنِ دِينَارٍ، أَنَّهُ سَمِعَ ابْنَ عُمَرَ، رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: أَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَهْلَ الْـمَدِينَةِ أَنْ يُهِلُّوا مِنْ ذِي الْحُلَيْفَةِ، وَأَهْلَ الشَّامِ مِنَ الْجُحْفَةِ، وَأَهْلَ نَجْدٍ مِنْ قَرْنٍ.

وَقَالَ عَبْدُ اللهِ بْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، وَاخْبِرْتُ انّهُ قَالَ: «وَيُهِلُّ أَهْلُ الْيَمَنِ مِنْ يَلَمْلَمَ».

[2437–16]. (Dar al-Salam 2664) Zuhayr ibn Ḥarb and Ibn Abi ʿUmar narrated to me: Ibn Abi ʿUmar said: Sufyān narrated; from al-Zuhrī; from Sālim; from his father; that **‘God’s Messenger (peace be upon him) said: “The people of Madinah start their *iḥrām* from Dhul-Ḥulayfah, the people of Syria start from al-Juḥfah, the people of Najd start from Qarn”.’**

ʿAbdullāh said**: ‘And it was mentioned to me (but I did not hear it directly) that God’s Messenger (peace be upon him) said: “And the people of Yemen start from Yalamlam”.’**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، وَابْنُ أَبِي عُمَرَ، قَالَ ابْنُ أَبِي عُمَرَ حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «يُهِلُّ أَهْلُ الْمَدِينَةِ مِنْ ذِي الْحُلَيْفَةِ، وَيُهِلُّ أَهْلُ الشَّامِ مِنَ الْجُحْفَةِ، وَيُهِلُّ أَهْلُ نَجْدٍ مِنْ قَرْنٍ».

قَالَ ابْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، وَذُكِرَ لِي وَلَمْ أَسْمَعْ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «وَيُهِلُّ أَهْلُ الْيَمَنِ مِنْ يَلَمْلَمَ».

[2438–17]. (Dar al-Salam 2665) Isḥāq ibn Ibrāhīm narrated: Rawḥ ibn ʿUbādah reported; Ibn Jurayj narrated; Abu al-Zubayr reported to me: that he heard Jābir ibn ʿAbdullāh being asked about the place for starting the *iḥrām*. He said: **‘I heard…’ then finished**

and he said: ‘I think he meant the Prophet (peace be upon him)’.

حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، يُسْأَلُ عَنِ الْـمُهَلِّ، فَقَالَ سَمِعْتُ – ثُمَّ انْتَهَى فَقَالَ: أُرَاهُ يَعْنِي - النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2439–18]. (Dar al-Salam 2666) Muhammad ibn Ḥātim and ʿAbd ibn Ḥumayd narrated to me: both from Muhammad ibn Bakr. ʿAbd said: Muhammad reported; Ibn Jurayj reported; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh being asked about the starting places of *iḥrām*. He said: **‘I heard (I think he attributed it to the Prophet) and he said: “The starting place for the people of Madinah is Dhul-Ḥulayfah, and the other route is al-Juḥfah, the starting place for the people of Iraq is Dhāt ʿIrq, the starting place for the people of Najd is Qarn and the starting place for the people of Yemen is Yalamlam”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، وَعَبْدُ بْنُ حُمَيْدٍ، كِلاَهُمَا عَنْ مُحَمَّدِ بْنِ بَكْرٍ. قَالَ عَبْدٌ: أَخْبَرَنَا مُحَمَّدٌ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، يُسْأَلُ عَنِ الْـمُهَلِّ، فَقَالَ: سَمِعْتُ - أَحْسِبُهُ، رَفَعَ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ – فَقَالَ: «مُهَلُّ أَهْلِ الْـمَدِينَةِ مِنْ ذِي الْحُلَيْفَةِ، وَالطَّرِيقُ الآخَرُ الْجُحْفَةُ، وَمُهَلُّ أَهْلِ الْعِرَاقِ مِنْ ذَاتِ عِرْقٍ، وَمُهَلُّ أَهْلِ نَجْدٍ مِنْ قَرْنٍ، وَمُهَلُّ أَهْلِ الْيَمَنِ مِنْ يَلَمْلَمَ».

Text Explanation

In this chapter, Muslim mentions three hadiths in various versions, and the most complete of these is the hadith narrated by Ibn ʿAbbās as it clearly states all the four points of *mīqāt*, i.e., the starting place of *iḥrām*. Therefore, Muslim begins the chapter with this hadith. This is followed by the hadith narrated by Ibn ʿUmar because he did not learn the *mīqāt* of the people of Yemen, but he was informed of it by others. The third hadith is Jābir's because Abu al-Zubayr says that he thought that Jābir attributed it to the Prophet. This does not confirm its being attributed to the Prophet.

The Prophet (peace be upon him) appointed Dhul-Ḥulalyfah as the starting point for the people of Madinah and this is where they must start their *iḥrām*. This is the furthest *mīqāt* from Makkah. It is about ten kilometres from Madinah and around 400 kilometres from Makkah. The people of Syria start at al-Juḥfah, which is also called Mahyaʿah as mentioned in hadith No. 3436. It is around 160 kilometres from Makkah. The people of Yemen's *mīqāt* is Yalamlam, which is one of the mountains in Tihama, around 85 kilometres from Makkah. The people of Najd start at Qarn al-Manāzil, which is about 80 kilometres from Makkah. It is mentioned that Qarn is the closest *mīqāt* to Makkah. The people of Iraq start at Dhāt ʿIrq. Scholars differ as whether this *mīqāt* was appointed for the people of Iraq by the Prophet or by scholarly discretion exercised by ʿUmar ibn al-Khaṭṭāb. Scholars of the Shāfiʿī School express two views, but the more correct of the two is the one stated by al-Shāfiʿī himself in his work *al-Umm*, saying that it was ʿUmar who appointed this *mīqāt*. This is clearly mentioned in al-Bukhari's *Ṣaḥīḥ*.

Those who say that the Prophet appointed it cite the hadith narrated by Jābir, but this hadith is not confirmed because the narrator has not categorically stated its attribution to the Prophet. Imam al-Dāraquṭnī says that this hadith lacks authenticity because Iraq was not taken over by Muslims during the Prophet's lifetime. His grading it as lacking authenticity is correct, but the evidence for that is what I have stated. Citing the fact that Iraq was not taken over by the Muslim state as the reason for his verdict on the hadith is unacceptable because it does not preclude that the Prophet would appoint this *mīqāt*, knowing as he did that Iraq would become a part

of the Muslim state. That would be one of the Prophet's miracles alongside the many instances of information he gave about future events. Moreover, the Prophet appointed al-Juḥfah as the *mīqāt* of the people of Syria while Syria had not, as of then, been taken over. There are several authentic hadiths in which the Prophet mentions that Syria, Yemen and Iraq would be parts of the Muslim state. Indeed, the Prophet said that the eastern and western parts of the earth were shown to him and added: 'My community's rule will extend over what was shown to me of the earth'. He also mentioned that the Muslims would take over Egypt, a land in which the *qīrāṭ* is mentioned. He also told us that Jesus (peace be upon him) would descend on the white minaret to the east of Damascus. All these hadiths are in the *Ṣaḥīḥ* anthologies. Indeed, similar hadiths in the *Ṣaḥīḥ* are very numerous, but God knows best.

All scholars agree that these points of *mīqāt* are valid. Mālik, Abu Ḥanīfah, al-Shāfiʿī, Ahmad and the majority of scholars add that they are incumbent on all pilgrims. If anyone leaves them and starts the *iḥrām* after some distance, that person commits a sin and must give redemption in the form of sacrificing a sheep, but his hajj is valid. ʿAṭā' and al-Nakhaʿī considered that no redemption is due, while Saʿīd ibn Jubayr said that the hajj of such a person becomes invalid. The use of appointing these *mīqāts* is to serve as points to start the hajj and ʿumrah. Whoever intends to do either must not go beyond these points without entering into a state of consecration, i.e., *iḥrām*. If one goes beyond the point of *mīqāt* but returns to it before actually starting either duty, no redemption is due from that person.

A person who does not intend to do either the hajj or the ʿumrah need not enter into *iḥrām* to go into Makkah. This is the correct view of our Shāfiʿī School. This applies to a person who has some business requiring him to go repeatedly into Makkah, such as the case of people selling firewood, animal feed or what they have hunted. It similarly applies to one who is paying the odd visit to Makkah. Al-Shāfiʿī has a weaker view requiring the one who visits Makkah repeatedly to start the *iḥrām* for a hajj or ʿumrah, stating a condition that has been mentioned at the beginning of the Book of Hajj.

If a person passes through the point of *mīqāt* having no intention to reach the Ḥaram area around Makkah because he has business at a place before it, but who then decides to perform the hajj or the ʿumrah, he starts his *iḥrām* from the place where he made his decision. If he leaves that place without starting his *iḥrām*, but starts it later, he is at fault and redemption becomes due in the form of sacrificing a sheep. By contrast, if he starts his *iḥrām* where he made his decision, he does well and he is required neither to go back to the point of *mīqāt* nor to sacrifice a sheep. This is the view of our school and the majority of scholars. However, Ahmad and Isḥāq consider that he must go back to the *mīqāt* point.

After defining the points of *mīqāt* in hadith No. 2432 the Prophet says: 'They are for them, and for whoever passes through them other than their own people, who is aiming for the hajj or the ʿumrah'. This means that if someone coming from Syria passes through the *mīqāt* of the people of Madinah on his way to Makkah, he must start his *iḥrām* at the *mīqāt* of Madinah. It is not permissible for such a person to delay his *iḥrām* to al-Juḥfah, which is the *mīqāt* point for the people of Syria. The same applies to the other points. This is unanimously agreed upon.

The Prophet adds that these points of *mīqāt* are also for people crossing them 'aiming for the hajj or the ʿumrah'. This serves as evidence in support of the correct view that a person who passes through the *mīqāt* without any intention to perform either the hajj or the ʿumrah need not enter into a state of consecration, i.e., *iḥrām*, for visiting Makkah. We have already discussed this point fully. Some scholars say that the hadith also provides evidence that the hajj is a duty that should be attended to at a person's convenience, not necessarily immediately. We have also discussed this.

In the same hadith, No. 2432 the Prophet says: 'Whoever is closer than these starts from their own quarters'. This is a clear statement that anyone whose home is nearer to Makkah than the point of *mīqāt* begins his *iḥrām* at home. Such people need not go to the *mīqāt* but may not go beyond their homes [for the hajj or ʿumrah] without being in consecration. This is the view of our school and all scholars, except Mujāhid who says that such people have Makkah itself as their own *mīqāt*. The Prophet adds: 'Whoever is closer than these [starts] from their own quarters, even closer and closer, and even the people of Makkah start from Makkah'. This means what we

have already said, including the people of Makkah whose *iḥrām*, or consecration, begins in Makkah itself.

Scholars unanimously agree to all this. Any person in Makkah, whether local inhabitant or visitor, who decides to perform the hajj, their *mīqāt*, where they start their consecration, is Makkah itself. They may not leave Makkah to start their *iḥrām* outside it, whether they go to a point in the Ḥaram or the Ḥil area.[v] This is the correct view according to our scholars. Some of our scholars say that such people may start their *iḥrām* for the hajj from any point in the Ḥaram area because the same rules apply to both Makkah and the Ḥaram area, but the first view is the correct one, in the light of this hadith. Our scholars have said that people starting their *iḥrām* from Makkah may start at any point in the city, provided that they do not go beyond the city itself or outside its limits. So, which is the best place to start? There are two answers and the more correct of these is 'at one's doorstep', and the other is 'at the Grand Mosque, under the Mīzāb', but God knows best. All this relates to those of the people of Makkah starting the *iḥrām* for the hajj. The hadith speaks specifically of *iḥrām* to perform the hajj. If a dweller of Makkah wants to perform the ʿumrah, his point of *mīqāt* is the nearest point of the Ḥil area. This is based on the hadith concerning ʿĀ'ishah, when she wanted to do the ʿumrah and the Prophet ordered her to go to al-Tanʿīm where she started her *iḥrām* for the ʿumrah. Al-Tanʿīm borders the Ḥil area, but God knows best.

In hadith No. 2438 we have the following: 'Abu al-Zubayr reported to me: that he heard Jābir ibn ʿAbdullāh being asked about the place for starting the *iḥrām*. He said: "I heard…" then finished and he said: "I think he meant the Prophet (peace be upon him)"'. This means that Abu al-Zubayr said that he heard Jābir then stopped, unwilling to attribute the hadith to the Prophet. He only said that he thought that Jābir was actually quoting the Prophet, but he was unsure. In the next hadith, he clearly states his uncertainty. Therefore, we cannot cite this hadith as the Prophet's own words because the narrator, Abu al-Zubayr, only thought it so, but was uncertain.

In hadith No. 2439 Dhāt ʿIrq is stated to be the point where the people from Iraq start their consecration. This is clearly the point of *mīqāt* for people coming from Iraq, but as we have mentioned, this hadith is not

certain to be the Prophet's own words. However, we also mentioned earlier the unanimous agreement that this is the *mīqāt* for the people of Iraq and anyone coming from that direction. Al-Shāfiʿī said that it is better if they start their *iḥrām* at al-ʿAqīq, which is slightly further from Makkah than Dhāt ʿIrq. Al-Shāfiʿī prefers al-ʿAqīq because of a report mentioning it in this context. It is also said that Dhāt ʿIrq was originally at al-ʿAqīq, but the name was attached to a place a little closer to Makkah, but God knows best.

The hajj has two starting points: one refers to a place, which we have been discussing so far, and the other refers to a point in time. This second starting point is the two months of Shawwāl and Dhul-Qaʿdah and also the first ten nights of Dhul-Ḥijjah. It is invalid to start the *iḥrām* for the hajj at any time other than this period of two months and ten nights. This is the view of al-Shāfiʿī School. If a person enters into *iḥrām* at another time, intending the hajj, this is unacceptable as a hajj, but it would count as *iḥrām* for the ʿumrah.

Starting the *iḥrām* for the ʿumrah and performing it are valid throughout the year, and there is no time when it is discouraged. The only condition is that the person doing it must not be doing the hajj, attending to any of its duties. There is no discouragement of repeating the ʿumrah in the same year. Indeed, it is desirable according to our school and the majority of scholars, but Ibn Sīrīn and Mālik say that it is discouraged to do it more than once in the same year.

It is permissible to start the *iḥrām* for the hajj from a point which is farther than the *mīqāt*, whether it is one's own home or some other point. Which is better? Al-Shāfiʿī gives two views, the more correct of which is that it is better to start the *iḥrām* at the point of *mīqāt* so as to follow the Prophet's practice, but God knows best.

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i. Related by al-Bukhari, 1528.

ii. The Ḥil area is formed by drawing a line connecting all the points of *mīqāt* and lying outside the Ḥaram area, i.e., the area surrounding Makkah.

iii. Related by al-Bukhari, 1526 and 1529; Abu Dāwūd in similar wording, 1738; al-Nasā'ī, 2657.

iv. Related by al-Bukhari, 1524, 1530, 1845; al-Nasā'ī, 2653, 2656.

v. Related by al-Bukhari, 1525; Abu Dāwūd, 1737; al-Nasā'ī, 2650; Ibn Mājah, 2914.

CHAPTER 3

THE *TALBIYAH* (DECLARATION OF PURPOSE)

[2440–19]. (Dar al-Salam 2667) Yaḥyā ibn Yaḥyā al-Tamīmī narrated:[i] he said: I read out to Mālik; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that **‘God’s Messenger’s *talbiyah* was: “I respond to You, my Lord. I respond to You. I respond to You. You have no partners. I respond to You. All praise, grace and dominion belong to You. You have no partners”.’**

He said: **‘ʿAbdullāh ibn ʿUmar used to add: “I respond, I respond with Your continuous help. All goodness is in Your hands. I respond to You and all my hope is addressed to You, and all my action is dedicated to You”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ تَلْبِيَةَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ. لَبَّيْكَ لاَ شَرِيكَ لَكَ لَبَّيْكَ. إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْـمُلْكَ، لاَ شَرِيكَ لَكَ». قَالَ: وَكَانَ عَبْدُ اللهِ بْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، يَزِيدُ فِيهَا: لَبَّيْكَ لَبَّيْكَ وَسَعْدَيْكَ، وَالْخَيْرُ بِيَدَيْكَ، لَبَّيْكَ وَالرَّغْبَاءُ إِلَيْكَ وَالْعَمَلُ.

[2441–20]. (Dar al-Salam 2668) Muhammad ibn ʿĀbbād narrated:[ii] Ḥātim (meaning Ibn Ismāʿīl) narrated; from Mūsā ibn ʿUqbah; from Sālim ibn ʿAbdullāh ibn ʿUmar, Nāfiʿ, ʿAbdullāh's *mawlā* and Ḥamzah ibn ʿAbdullāh; from ʿAbdullāh ibn ʿUmar; that **'When God's Messenger (peace be upon him) was on his she-camel and she rose up at Dhul-Ḥulayfah's mosque, he would say his declaration aloud, saying: "I respond to You, my Lord. I respond to You. I respond to You. You have no partners. I respond to You. All praise, grace and dominion belong to You. You have no partners".'**

They said: **'ʿAbdullāh ibn ʿUmar said: "This was God's Messenger's *talbiyah*".'**

Nāfiʿ said: **'In addition to this, ʿAbdullāh used to say: "I respond. I respond with Your continuous help. All goodness is in Your hands. I respond to You and all my hope is addressed to You, and all my action is dedicated to You".'**

حَدَّثَنَا مُحَمَّدُ بْنُ عَبَّادٍ، حَدَّثَنَا حَاتِمٌ (يَعْنِي ابْنَ إِسْمَاعِيلَ) عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، وَنَافِعٍ مَوْلَى عَبْدِ اللهِ، وَحَمْزَةَ بْنِ عَبْدِ اللهِ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا اسْتَوَتْ بِهِ رَاحِلَتُهُ قَائِمَةً، عِنْدَ مَسْجِدِ ذِي الْحُلَيْفَةِ، أَهَلَّ فَقَالَ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ. لَبَّيْكَ لاَ شَرِيكَ لَكَ لَبَّيْكَ. إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْـمُلْكَ، لاَ شَرِيكَ لَكَ».

قَالُوا وَكَانَ عَبْدُ اللهِ بْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، : هَذِهِ تَلْبِيَةُ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

قَالَ نَافِعٌ: كَانَ عَبْدُ اللهِ، رَضِيَ اللهُ عَنْهُ، يَزِيدُ مَعَ هَذَا: لَبَّيْكَ لَبَّيْكَ وَسَعْدَيْكَ، وَالْخَيْرُ بِيَدَيْكَ. لَبَّيْكَ وَالرَّغْبَاءُ إِلَيْكَ وَالْعَمَلُ.

[2442–000]. (Dar al-Salam 2669) Muhammad ibn al-Muthannā narrated: Yaḥyā (meaning Ibn Saʿīd) narrated; from ʿUbaydullāh; Nāfiʿ reported to me; from Ibn ʿUmar. He said: **‘I learnt the *talbiyah* directly from God’s Messenger’s mouth…’. He added the same as their narration.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا يَحْيَى (يَعْنِي ابْنَ سَعِيدٍ) عَنْ عُبَيْدِ اللهِ، أَخْبَرَنِي نَافِعٌ، عَنِ ابْنِ عُمَر، رَضِيَ اللهُ عَنْهُمَا، قَالَ تَلَقَّفْتُ التَّلْبِيَةَ مِنْ فِي رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ . فَذَكَرَ بِمِثْلِ حَدِيثِهِمْ.

[2443–21]. (Dar al-Salam 2670) Ḥarmalah ibn Yaḥyā narrated to me:[iii] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; he said: Sālim ibn ʿAbdullāh ibn ʿUmar certainly reported to me; from his father. He said: **‘I heard God’s Messenger say his declaration aloud, having glued his hair: “I respond to You, my Lord. I respond to You. I respond to You. You have no partners. I respond to You. All praise, grace and dominion belong to You. You have no partners”. He did not say anything other than these phrases.’**

ʿAbdullāh ibn ʿUmar used to say: **‘God’s Messenger would offer a prayer of two *rakʿahs* at Dhul-Ḥulayfah, then when his she camel rose up, with him riding her, at Dhul-Ḥulayfah’s mosque, he would say these phrases aloud’.**

ʿAbdullāh ibn ʿUmar also used to say: **‘ʿUmar ibn al-Khaṭṭāb used to say aloud the same phrases as God’s Messenger said, and he would add: “I respond. I respond with Your continuous help. All goodness is in Your hand. I respond to You and all my hope is addressed to You, and all my action is dedicated to You”.’**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، قَالَ: فَإِنَّ سَالِمَ بْنَ عَبْدِ اللهِ بْنِ عُمَرَ أَخْبَرَنِي عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، قَالَ سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُهِلُّ مُلَبِّدًا، يَقُولُ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، لَبَّيْكَ لاَ شَرِيكَ لَكَ لَبَّيْكَ. إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْـمُلْكَ، لاَ شَرِيكَ لَكَ». لاَ يَزِيدُ عَلَى هَؤُلاَءِ الْكَلِمَات.

وَإِنَّ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، كَانَ يَقُولُ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَرْكَعُ بِذِي الْحُلَيْفَةِ رَكْعَتَيْن، ثُمَّ إِذَا اسْتَوَتْ بِهِ النَّاقَةُ قَائِمَةً عِنْدَ مَسْجِدِ الْحُلَيْفَةِ، أَهَلَّ بِهَؤُلاَءِ الْكَلِمَاتِ.

وَكَانَ عَبْدُ اللهِ بْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ كَانَ عُمَرُ بْنُ الْخَطَّابِ، رَضِيَ اللهُ عَنْهُ، يُهِلُّ بِإِهْلاَلِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ هَؤُلاَءِ الْكَلِمَاتِ، وَيَقُولُ: لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، لَبَّيْكَ وَسَعْدَيْكَ، وَالْخَيْرُ فِي يَدَيْكَ، لَبَّيْكَ وَالرَّغْبَاءُ إِلَيْكَ وَالْعَمَلُ.

[2444–22]. (Dar al-Salam 2671) ʿAbbās ibn ʿAbd al-ʿAẓīm al-ʿAnbarī narrated to me: al-Naḍr ibn Muhammad al-Yamāmī narrated; ʿIkrimah (meaning Ibn ʿAmmār) narrated; Abu Zumayl narrated; from Ibn ʿAbbās. He said: **‘The unbelievers used to say: “I respond to You. You have no partners”. God’s Messenger (peace be upon him) said: “Woe to you! Stop here, stop here”. They would add: “except a partner who is Yours. You have him, but he has none”. They used to say this as they performed the *ṭawāf*’.**

وَحَدَّثَنِي عَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ، حَدَّثَنَا النَّضْرُ بْنُ مُحَمَّدٍ الْيَمَامِيُّ، حَدَّثَنَا عِكْرِمَةُ (يَعْنِي ابْنَ عَمَّارٍ) حَدَّثَنَا أَبُو زُمَيْلٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: كَانَ الْـمُشْرِكُونَ يَقُولُونَ: لَبَّيْكَ لاَ شَرِيكَ لَكَ. قَالَ: فَيَقُولُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «وَيْلَكُمْ قَدْ قَدْ». فَيَقُولُونَ: إِلاَّ شَرِيكًا هُوَ لَكَ، تَمْلِكُهُ وَمَا مَلَكَ. يَقُولُونَ هَذَا وَهُمْ يَطُوفُونَ بِالْبَيْتِ.

Text Explanation

Qadi ʿIyāḍ said:

> Imam al-Māzarī said: ‘The *talbiyah* is mentioned in the dual form to indicate emphasis and plenty. It means one response after another, and commitment to obedience to God. Thus, the dual form is meant for assertion and emphasis, and it is not literal. This is the same as in the Qur’an: ‘[God’s] two hands are outstretched’, meaning His two graces, interpreting ‘hand’ in this instance as meaning ‘His grace’, while God’s grace is boundless’.
>
> Scholars differ in their understanding of the meaning of *labbayk*, which is translated as ‘I respond to You’, and its derivation. Different scholars give different meanings, such as:
>
> - My aim is towards You.
> - My love is all Yours, I am sincerely devoted to You.
> - I am committed to obey You and respond to You. This meaning is mentioned by al-Khalīl.
> - This is the response to God’s command to Prophet Abraham: ‘Proclaim to all people the duty of hajj.’ (22: 27)
> - I draw close to You in total obedience, I humbly obey You.

‘With Your continuous help.’ This is stated in the same dual form as *labbayk*, which means ‘I respond’. This is to indicate that He gives help time after time. ‘All goodness is in Your hand’ means that all goodness comes from God and by His grace. ‘All my hope is addressed to You, and all my action is dedicated to You’. This means that all one’s requests and supplications are put to God, and all worship is dedicated to Him alone.

Hadith No. 2441 mentions that the Prophet used to say the *talbiyah* aloud as his camel rose up to start his journey from the point of *mīqāt* at Dhul-Ḥulalyfah. This is desirable. Similarly, it is recommended to ensure that one’s hair is fixed just before starting *iḥrām*. This used to be done with any material that joined hair so as to stick it together, preventing it from becoming dishevelled. Tidying it thus is more comfortable for the pilgrim.

Hadith No. 2444 mentions what the unbelievers used to say when they started their hajj: ‘I respond to You. You have no partners’. At this point, God’s Messenger (peace be upon him) would say: ‘Woe to you! Stop here, stop here’. This is right and they should have stopped here, but they did not. They added: ‘except a partner who is Yours. You have him, but he has none’. The Prophet gave them sound advice to stop at the point when they stated God’s Oneness, but they paid no heed and continued their falsehood, but God knows best.

What status is attached to *talbiyah*? All Muslims agree that it is valid, but they differ with regard to its being a duty or not. Al-Shāfiʿī and others say that it is a sunnah, neither a duty nor a condition for the validity of the hajj. If one omits it, his hajj is valid and he need not make any redemption, but he misses out on what is better. Some of our Shāfiʿī scholars hold that it is a condition for the validity of one’s *iḥrām* and add that both the *iḥrām* and the hajj remain invalid without it. The correct view of our Shāfiʿī School is what we have mentioned as said by al-Shāfiʿī himself. Mālik said that it is not a duty, but a pilgrim who omits it must pay a redemption in the form of sacrificing a sheep. His hajj, however, remains valid.

Both Mālik and al-Shāfiʿī say that the hajj is formally started by the pilgrim’s mental intention, without need for a verbal statement of such intention, exactly as fasting is started with a similar mental intention. Abu Ḥanīfah said that it is not formally started unless the *talbiyah* or assigning the sacrificial animal are joined to the intention. Abu Ḥanīfah added that the *talbiyah* may be replaced by similar phrases of glorification of God and asserting His Oneness. This is in line with his other view that any acceptable glorification of God is good enough to start prayers, instead of the *takbir*, but God knows best.

Our scholars say that it is preferable to say the *talbiyah* aloud, without exerting oneself. However, women should not raise their voices when they say the *talbiyah*, so as not to attract attention. It is desirable to repeat the *talbiyah* often, particularly when one’s situation changes, such as the beginning of the night or the day, going uphill or downhill, meeting friends, standing up or sitting down, walking or riding, after obligatory prayers and in all mosques. The more correct view is that the *talbiyah* is not said when

one is performing the *ṭawāf* or *saʿi* because these duties have their own glorifications and supplications.

It is desirable to repeat the *talbiyah* three times or more, and to say its phrases together, without interruption. If anyone greets a pilgrim, the latter should return the greeting, but it is preferable not to greet a pilgrim engaged in *talbiyah*. When a pilgrim finishes the *talbiyah*, he should pray to God to grant His peace and blessings to His Messenger, and he may supplicate for himself and others as he pleases. The best supplication is to pray for God's pleasure, admission into Heaven and protection from Hell. If the pilgrim sees something that appeals to him, he should say: 'I respond to You, my Lord. True life is the life to come'.

Repeating the *talbiyah* is recommended for the pilgrim at all times until he starts the duty of stoning at Jamrat al-ʿAqabah on the Day of the Eid, or until he starts the *ṭawāf al-ifāḍah* if he does it before the stoning duty, or until he shaves his head according to those who consider such shaving a duty of the hajj, which is the correct view. In ʿumrah, the *talbiyah* is recommended until one starts one's *ṭawāf*. The *talbiyah* is desirable for a person in consecration, or *iḥrām*, at all times, for both men and women, including a man in a state of ceremonial impurity and a woman during her period. This is clear as the Prophet said to ʿĀ'ishah when she was having her period: 'Do all that a pilgrim does except the *ṭawāf* around the Kaʿbah.

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i. Related by al-Bukhari, 1549; Abu Dāwūd, 1812; al-Nasā'ī, 2748.

ii. Related by al-Bukhari, 1541; Abu Dāwūd, 1771; al-Tirmidhī, 818; al-Nasā'ī, 2756.

iii. Related by al-Bukhari, 1540 and in a longer version 5915; Abu Dāwūd, 1747; al-Nasā'ī, 2682 and 2746; Ibn Mājah, 3047.

CHAPTER 4

WHERE DO PEOPLE FROM MADINAH START THE *IḤRĀM*?

[2445–23]. (Dar al-Salam 2672) Yaḥyā ibn Yaḥyā narrated: he said: I read out to Mālik; from Mūsā ibn ʿUqbah; from Sālim ibn ʿAbdullāh; that he heard his father say: **‘You certainly lie to God’s Messenger (peace be upon him) about this desert of yours. God’s Messenger only declared the start [of his hajj] at the mosque’, meaning Dhul-Ḥulayfah’s.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ، أَنَّهُ سَمِعَ أَبَاهُ، رَضِيَ اللهُ عَنْهُ، يَقُولُ: بَيْدَاؤُكُمْ هَذِهِ الَّتِي تَكْذِبُونَ عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِيهَا. مَا أَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِلاَّ مِنْ عِنْدِ الْـمَسْجِدِ، يَعْنِي ذَا الْحُلَيْفَة.

[2446–24]. (Dar al-Salam 2673) Qutaybah ibn Saʿīd narrated: Ḥātim (meaning Ibn Ismāʿīl) narrated; from Mūsā ibn ʿUqbah; from Sālim. He said: **‘When anyone said to Ibn ʿUmar that the *iḥrām* starts at the desert, he would say: “You certainly lie to God’s Messenger about the desert. God’s Messenger (peace be**

upon him) only declared the start [of his hajj] near the tree, when his camel rose up”.’

وَحَدَّثَنَاهُ قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا حَاتِمٌ (يَعْنِي ابْنَ إِسْمَاعِيلَ) عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ سَالِمٍ قَالَ: كَانَ ابْنُ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، إِذَا قِيلَ لَهُ الْإِحْرَامُ مِنَ الْبَيْدَاءِ قَالَ: الْبَيْدَاءُ الَّتِي تَكْذِبُونَ فِيهَا عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. مَا أَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِلَّا مِنْ عِنْدِ الشَّجَرَةِ حِينَ قَامَ بِهِ بَعِيرُهُ.

Text Explanation

The ‘desert’ in these two hadiths refers to a high plain a short distance ahead of Dhul-Ḥulayfah, on the way to Makkah. It is called ‘desert’ because there are no buildings or any indication of life there. In classical Arabic, every stretch of barren land is called desert, but in this particular context it refers to the high plain we identified. Ibn ʿUmar tells them that they lie to God’s Messenger because they said that he started his *iḥrām* there. The fact is that he did not. But rather, he started his *iḥrām* before reaching it, at the mosque of Dhul-Ḥulayfah, next to the tree which was near the mosque.

Ibn ʿUmar describes them as liars because they described something in a way that is different from its reality. It was mentioned at the beginning of this book, in Muslim’s Introduction, that Hadith scholars consider reporting something differently from its reality as lying, whether it is done deliberately, unwittingly or by mistake. The Muʿtazilah said that it must be deliberate. According to us, being deliberate is a condition that makes it sinful, but it remains a lie. Therefore, we say that Ibn ʿUmar’s description is in line with our rule. The hadith shows that the use of this description is acceptable.

The hadith further makes it clear that the point of *mīqāt* for the people of Madinah is at the mosque of Dhul-Ḥulayfah. They must not delay it until they reach the desert. This is agreed upon by all scholars. The hadith also shows that to start one’s *iḥrām* at the *mīqāt* is preferable to starting it at home. The Prophet did not start his *iḥrām* at his own mosque, even though it is a most honoured place. Yet it may be suggested that he started at the *mīqāt* to show that it is permissible. This is wrong from two points of view: 1) The Prophet explained this and mentioned the points of *mīqāt* in several authentic hadiths; and 2) Showing permissibility applies to something that is done frequently. In such cases, the Prophet does it once or a few times in the lesser but acceptable way to show that it is acceptable, but he will then continue to do it in the most perfect way. In the case of wudu, he performed it washing the relative parts once or twice each on some occasions, but in most cases, he washed every part three times. This is authentically reported. The Prophet performed the hajj only once, and he did so only in the most perfect way.

Another hadith says: ‘God’s Messenger (peace be upon him) prayed two *rakʿahs* at Dhul-Ḥulayfah, then when he rode his she-camel and she rose up fully at Dhul-Ḥulayfah mosque, he said the *talbiyah* aloud’. This hadith shows the desirability of offering two *rakʿahs* when one wants to be in a state of consecration, i.e., *iḥrām*, and that these two *rakʿahs* are offered before the *iḥrām* and are considered a sunnah. This is the view of our school and all scholars, except what *Qadi* ʿIyāḍ and others have reported whereby al-Ḥasan al-Baṣrī expressed the desirability that these two *rakʿahs* should be offered after an obligatory prayer. He said that this is so because it is reported that the Prophet offered these two *rakʿahs* after Fajr Prayer. The correct view is the first, which is the view of the majority, and it is consistent with the apparent meaning of the hadith.

Shāfiʿī scholars and others say that this prayer is a sunnah. If one omits it, one loses its benefit and reward, but it incurs no sin, and one pays no redemption. Our Shāfiʿī scholars say that if a person starts his *iḥrām* at a time when prayer is discouraged, he should not offer these two *rakʿahs*. This is the best-known view, but some of our scholars say that one should still offer them because there is a special reason for them, which is the intention of starting the *iḥrām*. We shall mention the time of *iḥrām* in the next chapter, God willing.

CHAPTER 5

THE STARTING POINT

[2447–25]. (Dar al-Salam 2674) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Saʿīd ibn Abi Saʿīd al-Maqburī; from ʿUbayd ibn Jurayj; that **‘He said to ʿAbdullāh ibn ʿUmar: “Abu ʿAbd al-Raḥmān, I have seen you do four things, but I saw no other of your companions doing them”. He said: “What are these, Ibn Jurayj?” He said: “I saw that of all the corners [of the Ka‘bah] you touch only the two Yemeni corners; and I saw that you wear Sibtī sandals; and I saw that you use the yellow dye; and I saw that if you are in Makkah, you do not start the *iḥrām* [for the hajj] until the Day of al-Tarwiyah while people start when they have sighted the new moon”. ʿAbdullāh ibn ʿUmar answered: “As for the corners, I did not see God’s Messenger touching any corner except the two Yemeni ones, and as for the Sebtī sandals, I saw God’s Messenger (peace be upon him) wear sandals that have no hair and he performed his ablution and wore them. Therefore, I like to wear them. As for the yellow dye, I saw God’s Messenger (peace be upon him) using it and I like to use it, and as for starting the *iḥrām,* I never saw God’s Messenger start his *iḥrām* until his she-camel started to move”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَاتُ عَلى مَالِكٍ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ الْـمَقْبُرِيِّ، عَنْ عُبَيْدِ بْنِ جُرَيْجٍ، أَنَّهُ قَالَ لِعَبْدِ اللهِ بْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا: يَا أَبَا عَبْدِ الرَّحْمَنِ رَأَيْتُكَ تَصْنَعُ أَرْبَعًا لَمْ أَرَ أَحَدًا مِنْ أَصْحَابِكَ يَصْنَعُهَا. قَالَ مَا هُنَّ يَا ابْنَ جُرَيْجٍ؟ قَالَ: رَأَيْتُكَ لاَ تَمَسُّ مِنَ الأَرْكَانِ إِلاَّ الْيَمَانِيَيْنِ، وَرَأَيْتُكَ تَلْبَسُ النِّعَالَ السِّبْتِيَّةَ، وَرَأَيْتُكَ تَصْبُغُ بِالصُّفْرَةِ، وَرَأَيْتُكَ إِذَا كُنْتَ بِمَكَّةَ أَهَلَّ النَّاسُ إِذَا رَأَوُا الْهِلاَلَ، وَلَمْ تُهْلِلْ أَنْتَ حَتَّى يَكُونَ يَوْمُ التَّرْوِيَةِ. فَقَالَ عَبْدُ اللهِ بْنُ عُمَرَ: أَمَّا الأَرْكَانُ فَإِنِّي لَمْ أَرَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَمَسُّ إِلاَّ الْيَمَانِيَيْنِ، وَأَمَّا النِّعَالُ السِّبْتِيَّةُ فَإِنِّي رَأَيْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَلْبَسُ النِّعَالَ الَّتِي لَيْسَ فِيهَا شَعَرٌ، وَيَتَوَضَّأُ فِيهَا. فَأَنَا أُحِبُّ أَنْ أَلْبَسَهَا. وَأَمَّا الصُّفْرَةُ فَإِنِّي رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَصْبَغُ بِهَا، فَأَنَا أُحِبُّ أَنْ أَصْبَغَ بِهَا. وَأَمَّا الإِهْلاَلُ فَإِنِّي لَمْ أَرَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُهِلُّ حَتَّى تَنْبَعِثَ بِهِ رَاحِلَتُهُ.

[2448–26]. (Dar al-Salam 2675) Ḥārūn ibn Saʿīd al-Aylī narrated: Ibn Wahb narrated; Abu Ṣakhr narrated to me; from Ibn Qusayṭ; from ʿUbayd ibn Jurayj. He said: **‘I have performed the hajj with ʿAbdullāh ibn ʿUmar ibn al-Khaṭṭāb twelve times doing either the hajj or the ʿumrah’. I said: ‘Abu ʿAbd al-Raḥmān, I saw you do four things…’. He narrated the hadith in the same meaning, except for the starting point of the *iḥrām*, which he narrated differently from al-Maqburī’s narration. He mentioned it with a different meaning.**

حَدّثَنِي هَارُونُ بْنُ سَعِيدٍ الاَيْلِيَّ، حَدّثَنَا ابْنُ وَهْبٍ، حَدّثَنِي أَبُو صَخْرٍ، عَنِ ابْنِ قُسَيْطٍ، عَنْ عُبَيْدِ بْنِ جُرَيْجٍ، قَالَ: حَجَجْتُ مَعَ عَبْدِ اللَهِ بْنِ عُمَرَ بْنِ الْخَطَّابِ، رَضِىَ اللهُ عَنْهُمَا، بَيْنَ حَجٍّ وَعُمْرَةٍ ثِنْتَيْ عَشْرَةَ مَرَّةً، فَقُلْتُ: يَا أَبَا عَبْدِ الرَّحْمَنِ لَقَدْ رَأَيْتُ مِنْكَ أَرْبَعَ خِصَالٍ. وَسَاقَ الْحَدِيثَ بِهَذَا الْـمَعْنَى، إِلاَّ فِي قِصَّةِ الإِهْلاَلِ فَإِنَّهُ خَالَفَ رِوَايَةَ الْـمَقْبُرِيِّ فَذَكَرَهُ بِمَعْنًى سِوَى ذِكْرِهِ إِيَّاهُ.

[2449–27]. (Dar al-Salam 2676) Abu Bakr ibn Abi Shaybah narrated: ʿAlī ibn Mushir narrated; from ʿUbaydullāh; from Nāfiʿ; from Ibn ʿUmar. He said: **‘When God’s Messenger (peace be upon him) put his feet in the stirrup and his she-camel rose up, he started his *iḥrām* at Dhul-Ḥulayfah’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ عُبَيْدِ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا وَضَعَ رِجْلَهُ فِي الْغَرْزِ، وَانْبَعَثَتْ بِهِ رَاحِلَتُهُ قَائِمَةً، أَهَلَّ مِنْ ذِي الْحُلَيْفَةِ.

[2450–28]. (Dar al-Salam 2677) Ḥārūn ibn ʿAbdullāh narrated to me:[ii] Ḥajjāj ibn Muhammad narrated; he said: Ibn Jurayj said; Ṣāliḥ ibn Kaysān reported to me; from Nāfiʿ; from Ibn ʿUmar; that he used to say: **‘The Prophet started his *iḥrām* when his she-camel rose up fully’.**

وَحَدَّثَنِي هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ، قَالَ قَالَ ابْنُ جُرَيْجٍ، أَخْبَرَنِي صَالِحُ بْنُ كَيْسَانَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّهُ كَانَ يُخْبِرُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَهَلَّ حِينَ اسْتَوَتْ بِهِ نَاقَتُهُ قَائِمَةً

[2451–29]. (Dar al-Salam 2678) Ḥarmalah ibn Yaḥyā narrated to me:[iii] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; that Sālim ibn ʿAbdullāh reported to him; that ʿAbdullāh ibn ʿUmar said: **‘I saw God’s Messenger (peace be upon him) mounting his she-camel at Dhul-Ḥulayfah, then he started his *iḥrām* when it rose up fully’.**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَنَّ سَالِمَ بْنَ عَبْدِ اللهِ أَخْبَرَهُ أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَكِبَ رَاحِلَتَهُ بِذِي الْحُلَيْفَةِ ثُمَّ يُهِلُّ حِينَ تَسْتَوِي بِهِ قَائِمَةً.

Text Explanation

All these hadiths give the same meaning and provide evidence in support of the view of Mālik, al-Shāfiʿī and the majority of scholars that the most preferable way is to start the *iḥrām* [which begins the hajj] when one begins the journey. This is expressed in the hadiths as ‘when his she-camel rose up fully’. [This was the mode of travel at the time. Today, in the case of people travelling from Madinah by cars or coaches, the equivalent is when their vehicle is about to move.] Abu Ḥanīfah said that the starting point of *iḥrām* is when one finishes one’s prayer and is still sitting down, before standing up to ride one’s mount. This is also a view reported from al-Shāfiʿī, relying on a hadith narrated by Ibn ʿAbbās, but this hadith is poor in authenticity. The hadiths in this chapter also confirm that the *talbiyah* does not start before *iḥrām*.

In the first hadith, No. 2447 Ibn Jurayj said to ʿAbdullāh ibn ʿUmar: ‘I have seen you do four things, but I saw no other of your companions doing them’. Al-Māzarī said: ‘It may be meant that he did not see anyone else doing all these four, but they might have done one or the other’. When he was asked to name these four, the first that he mentioned was: ‘I saw that of all the corners [of the Kaʿbah] you touch only the two Yemeni corners’. Ibn ʿUmar told him that these were the only ones he saw the Prophet touch during the *ṭawāf* around the Kaʿbah. The two Yemeni corners are the Yemeni corner and the one in which the Black Stone is situated. This latter one is sometimes called the ‘Irāqī corner’ because it faces the direction of Iraq, while the other faces the direction of Yemen. That both are sometimes called Yemeni is an acceptable way of expression in Arabic, using one description to apply to two things that have something in common. Other examples are ‘the two fathers’ referring to both father and mother, ‘the two moons’ referring to the sun and moon, ‘the two ʿUmars’ referring to Abu Bakr and ʿUmar, etc.

Scholars said that the other two corners are called the Shāmī, or Syrian, corners because they face that direction. The two Yemeni corners are in the same positions as they were when Prophet Abraham built the Kaʿbah, while the other two are not. This is why they are not touched during the *ṭawāf*. Moreover, the Iraqi corner has another merit because the Black Stone is

situated in it. Hence, it is the only place that pilgrims kiss and place their foreheads on, but God knows best. *Qadi* ʿIyāḍ said: ‘Leading scholars from all regions agree that the two Syrian corners are not touched during *ṭawāf*, and the difference on this point only took place in the very early generations with some Companions doing it, as well as some of the *tābiʿīn* generation. This difference of views no longer exists’.

The second point Ibn Jurayj raised with Ibn ʿUmar was wearing Sibtī sandals. Ibn ʿUmar explained its meaning, saying that they had no hair. This means that they are leather sandals, but the animal hair has been removed during tanning. The Arabs used to wear their sandals made of untanned leather with the animal hair remaining. The ones made of tanned leather were made in Taif and they were worn by the wealthy. Ibn ʿUmar mentions that he saw the Prophet wearing such sandals and that he performed wudu and wore them when his feet were still wet.

Ibn Jurayj then mentions the use of yellow dye. Ibn ʿUmar said that he saw the Prophet using it and he liked to follow his example. Al-Māzarī said: ‘Some suggested that it means dying hair, but others said dying one’s garment. The latter is more likely because Ibn ʿUmar mentions that the Prophet used the yellow dye but did not mention that he dyed his hair’. *Qadi* ʿIyāḍ said: ‘This is the more likely meaning because there are reports that Ibn ʿUmar used a yellow dye on his beard and stated that the Prophet used *warce* and saffron to give his beard a yellow colour. This is related by Abu Dāwūd. In another hadith, he mentions that the Prophet used it to dye his garments, including his turban’.

Ibn Jurayj then states his fourth point of inquiry: ‘I saw that if you are in Makkah, you do not start the *iḥrām* [for the hajj] until the Day of al-Tarwiyah while people start when they have sighted the new moon’. The Tarwiyah Day is the eighth of Dhul-Ḥijjah, i.e., the day preceding Arafat Day. It is given this name, which means watering and drinking, because people used to get their water supply for the Day of Arafat, so as to have what they needed for drinking and other purposes.

Explaining Ibn ʿUmar’s answer, al-Māzarī said: ‘Ibn ʿUmar gave Ibn Jurayj an answer based on analogy. He could not cite an action by the Prophet confirming what he did but cited something similar. The point of analogy is that the Prophet did not start his *iḥrām* until the moment he

began his journey, starting the duties of the hajj. Hence, Ibn ʿUmar delayed his *iḥrām* until the time he could begin his hajj and start on his way. That begins on the Day of al-Tarwiyah, when pilgrims leave Makkah and go to Mina'. Ibn ʿUmar's practice is endorsed by al-Shāfiʿī and his school, as well as a number of Mālikī scholars and others. However, other scholars say that the better option is to start one's *iḥrām* on the first day of the month of Dhul-Ḥijjah. *Qadi* ʿIyāḍ reports that this is the view of the majority of the Prophet's Companions and scholars. However, the difference is merely over which of the two options, agreed by all to be valid, is better, but God knows best.

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i. Related by al-Bukhari in longer versions, 166 and 5851; Abu Dāwūd in a longer version, 1772; al-Nasā'ī, 117, 2759, 2950, 5258; Ibn Mājah, 3626.

ii. Related by al-Bukhari, 1552; al-Nasā'ī, 2758.

iii. Related by al-Bukhari, 1514; al-Nasā'ī, 2757.

CHAPTER 6

PRAYER AT DHUL-*ḤULAYFAH* MOSQUE

[2452–29]. (Dar al-Salam 2679) Ḥarmalah ibn Yaḥyā and Ahmad ibn ʻĪsā narrated to me:[i] Ibn Wahb (Ahmad said: ‘narrated’ and Ḥarmalah said ‘reported’); Yūnus reported to me; from Ibn Shihāb; that ʿUbaydullāh ibn ʿAbdullāh ibn ʿUmar reported to him; from ʿAbdullāh ibn ʿUmar; that he said: **‘God’s Messenger (peace be upon him) stayed the night at Dhul-Ḥulayfah when he started [his hajj] and prayed in its mosque’.**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، وَأَحْمَدُ بْنُ عِيسَى، (قَالَ أَحْمَدُ حَدَّثَنَا وَقَالَ حَرْمَلَةُ أَخْبَرَنَا) ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَنَّ عُبَيْدَ اللهِ بْنَ عَبْدِ اللهِ بْنِ عُمَرَ أَخْبَرَهُ عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّهُ قَالَ: بَاتَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِذِي الْحُلَيْفَةِ مَبْدَأَهُ وَصَلَّى فِي مَسْجِدِهَا.

Text Explanation

This hadith mentions what the Prophet did as he began his journey to perform the hajj. Right at the beginning, he spent the night at Dhul-Ḥulayfah. This is not one of the required or recommended practices of the hajj. *Qadi* ʿIyāḍ said: ‘If one does so to follow the example of the Prophet (peace be upon him), one does well’, and God knows best.

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i. Related by al-Nasā’ī, 2658.

CHAPTER 7

USING PERFUME AT THE START OF *IḤRĀM*

[2453–31]. (Dar al-Salam 2680) Muhammad ibn ʿAbbād nar-rated:[i] Sufyān reported; from al-Zuhrī; from ʿUrwah; from ʿĀ'ishah. She said: **'I applied perfume to God's Messenger (peace be upon him) for his *iḥrām*, when he started his consecration, and for his release, before he performed the *ṭawāf* around the House'.**

حَدَّثَنَا مُحَمَّدُ بْنُ عَبَّادٍ، أَخْبَرَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِحُرْمِهِ حِينَ أَحْرَمَ، وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ.

[2454–32]. (Dar al-Salam 2681) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated: Aflaḥ ibn Ḥumayd narrated; from al-Qāsim ibn Muhammad; from ʿĀ'ishah the Prophet's wife. She said: **'I applied perfume to God's Messenger (peace be upon him) with my own hand for his *iḥrām*, when he started his consecration, and for his release, when he finished [his consecration], before he performed the *ṭawāf* around the House'.**

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا افْلحُ بْنُ حُمَيْدٍ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، زَوْجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، قَالَتْ: طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدِي لِحُرْمِهِ حِينَ أَحْرَمَ، وَلِحِلِّهِ حِينَ أَحَلَّ، قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ.

[2455–33]. (Dar al-Salam 2682) Yaḥyā ibn Yaḥyā narrated:[ii] he said: I read out to Mālik; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ’ishah; that she said: **‘I used to apply perfume to God’s Messenger (peace be upon him) for his consecration, before he started his *iḥrām*, and for his release, before he performed the *ṭawāf* around the House’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: كُنْتُ أُطَيِّبُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِإِحْرَامِهِ قَبْلَ أَنْ يُحْرِمَ، وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ.

[2456–34]. (Dar al-Salam 2683) Ibn Numayr narrated:[iii] my father narrated; ʿUbaydullāh ibn ʿUmar narrated; he said: I heard al-Qāsim narrating from ʿĀ’ishah. She said: **‘I applied perfume to God’s Messenger (peace be upon him) for his release from, and at the start of, his *iḥrām*’.**

وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، قَالَ سَمِعْتُ الْقَاسِمَ، عَنْ عَائِشَة، رَضِيَ اللهُ عَنْهَا،

قَالتْ: طيّبْتُ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ لِحِلهِ وَلِحِرْمِهِ.

[2457–35]. (Dar al-Salam 2684) Muhammad ibn Ḥātim and ʿAbd ibn Ḥumayd narrated to me:[iv] Muhammad ibn Bakr (ʿAbd said: ‘reported’ and Ibn Ḥātim said: ‘narrated’); Ibn Jurayj reported; ʿUmar ibn ʿAbdullāh ibn ʿUrwah reported to me; that he heard ʿUrwah and al-Qāsim reporting from ʿĀ’ishah. She said: **‘I applied the *dharīrah* perfume to God’s Messenger (peace be upon him) with my own hand during the Farewell Pilgrimage, at the release from, and the start of, *iḥrām*’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، وَعَبْدُ بْنُ حُمَيْدٍ، قَالَ عَبْدٌ أَخْبَرَنَا وَقَالَ ابْنُ حَاتِمٍ حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عُمَرُ بْنُ عَبْدِ اللهِ بْنِ عُرْوَةَ، أَنَّهُ سَمِعَ عُرْوَةَ وَالْقَاسِمَ يُخْبِرَانِ عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدِي بِذَرِيرَةٍ فِي حَجَّةِ الْوَدَاعِ لِلْحِلِّ وَالإِحْرَامِ.

[2458–36]. (Dar al-Salam 2685) Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated:[v] both from Ibn ʿUyaynah; Zuhayr said: Sufyān narrated; ʿUthmān ibn ʿUrwah narrated; from his father. He said: **‘I asked ʿĀ’ishah: “What perfume did you apply to God’s Messenger (peace be upon him) when he started his *iḥrām*?” She said: “The best of perfumes”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ، قَالَ زُهَيْرٌ: حَدَّثَنَا سُفْيَانُ، حَدَّثَنَا عُثْمَانُ بْنُ

عُرْوَةَ، عَنْ اَبِيهِ، قَالَ: سَالتُ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، بِأَىِّ شَىْءٍ طَيَّبْتِ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عِنْدَ حِرْمِهِ؟ قَالَتْ: بِأَطْيَبِ الطِّيبِ.

[2459–37]. (Dar al-Salam 2686) Abu Kurayb narrated: Abu Usāmah narrated; from Hishām; from ʿUthmān ibn ʿUrwah; he said: I heard ʿUrwah narrating from ʿĀ’ishah. She said: **‘I used to apply to God’s Messenger (peace be upon him) the best perfume I could find before his consecration. He would then start his *iḥrām*’.**

وَحَدَّثَنَاهُ أَبُو كُرَيْبٍ، حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، عَنْ عُثْمَانَ بْنِ عُرْوَةَ، قَالَ سَمِعْتُ عُرْوَةَ يُحَدِّثُ عَنْ عَائِشَةَ، رَضِىَ اللَهُ عَنْهَا، قَالَتْ: كُنْتُ أُطَيِّبُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِأَطْيَبِ مَا أَقْدِرُ عَلَيْهِ، قَبْلَ أَنْ يُحْرِمَ، ثُمَّ يُحْرِمُ.

[2460–38]. (Dar al-Salam 2687) Muhammad ibn Rāfiʿ narrated: Ibn Abi Fudayk narrated; al-Ḍaḥḥāk reported; from Abu al-Rijāl; from his mother; from ʿĀ’ishah; that she said: **‘I applied to God’s Messenger (peace be upon him) the best perfume I could find for his consecration when he started his *iḥrām*, and after his release, before he performed the *ṭawāf al-ifāḍah*’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ، أَخْبَرَنَا الضَّحَّاكُ، عَنْ أَبِي الرِّجَالِ، عَنْ أُمِّهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ

وَسَلمَ لِحُرْمِهِ حِينَ احْرَمَ، وَلِحِلهِ قَبْلَ انْ يُفِيضَ، بِاطيَبِ مَا وَجَدْتُ.

[2461–39]. (Dar al-Salam 2688) Yaḥyā ibn Yaḥyā, Saʿīd ibn Manṣūr, Abu al-Rabīʿ, Khalaf ibn Hishām and Qutaybah ibn Saʿīd narrated:[vi] Ḥammād ibn Zayd (Yaḥyā said: ‘reported’ and the others said: ‘narrated’); from Manṣūr; from al-Aswad; from ʿĀ’ishah. She said: **‘I can almost see the shining of the perfume at the parting of God’s Messenger’s hair as he was in *iḥrām*’.**

Khalaf did not say: **‘as he was in *iḥrām*’** but said: **‘this was the perfume he used before his *iḥrām*’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَسَعِيدُ بْنُ مَنْصُورٍ، وَأَبُو الرَّبِيعِ، وَخَلَفُ بْنُ هِشَامٍ، وَقُتَيْبَةُ بْنُ سَعِيدٍ: (قَالَ يَحْيَى أَخْبَرَنَا وَقَالَ الآخَرُونَ حَدَّثَنَا) حَمَّادُ بْنُ زَيْدٍ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: كَأَنِّي أَنْظُرُ إِلَى وَبِيصِ الطِّيبِ فِي مَفْرِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ. وَلَمْ يَقُلْ خَلَفٌ وَهُوَ مُحْرِمٌ، وَلَكِنَّهُ قَالَ: وَذَاكَ طِيبُ إِحْرَامِهِ.

[2462–40]. (Dar al-Salam 2689) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[vii] Abu Muʿāwiyah (Yaḥyā said: ‘reported’ and the others said ‘narrated’); from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘I can almost see the shining of the perfume at the partings of God’s Messenger’s hair as he started [his hajj]’.**

وَحَدّثَنَا يَحْيَى بْنُ يَحْيَى، وَابُو بَكرِ بْنُ ابِي شَيْبَةَ، وَابُو كُرَيْبٍ، (قَالَ يَحْيَى أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: لَكَأَنِّي أَنْظُرُ إِلَى وَبِيصِ الطِّيبِ فِي مَفَارِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ يُهِلُّ.

[2463–41]. (Dar al-Salam 2690-2691) Abu Bakr ibn Abi Shaybah, Zuhayr ibn Ḥarb and Abu Saʿīd al-Ashajj narrated:[viii] they said: Wakīʿ narrated; al-Aʿmash narrated; from Abu al-Ḍuḥā; from Masrūq; from ʿĀ’ishah. She said: **‘I can almost see the shining of the perfume at the partings of God’s Messenger’s hair as he said the *talbiyah*’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، وَأَبُو سَعِيدٍ الأَشَجُّ قَالُوا حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا الأَعْمَشُ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ، - رَضِىَ اللهُ عَنْهَا - قَالَتْ كَأَنِّي أَنْظُرُ إِلَى وَبِيصِ الطِّيبِ فِي مَفَارِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ يُلَبِّي

Ahmad ibn Yūnus narrated: Zuhayr narrated; al-Aʿmash nar-rated; from Ibrāhīm; from al-Aswad; and from Muslim; from Masrūq; from ʿĀ’ishah. She said: **‘I can almost see…’ the same as Wakīʿ’s narration.**

حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ، حَدَّثَنَا زُهَيْرٌ، حَدَّثَنَا الأَعْمَشُ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، وَعَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، عَنْ

عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالتْ: لكَأنِّي انْظرُ... بِمِثْلِ حَدِيثِ وَكِيعٍ.

[2464–42]. (Dar al-Salam 2692) Muhammad ibn al-Muthannā and Ibn Bashshār narrated: both said:[ix] Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from al-Ḥakam; he said: I heard Ibrāhīm narrating from al-Aswad; from ʿĀ’ishah; that she said: **‘It is as if I am looking at the shining of perfume at the partings of God’s Messenger’s hair when he was in *iḥrām*’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، قَالَ سَمِعْتُ إِبْرَاهِيمَ، يُحَدِّثُ عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: كَأَنَّمَا أَنْظُرُ إِلَى وَبِيصِ الطِّيبِ فِي مَفَارِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ.

[2465–43]. (Dar al-Salam 2693) Ibn Numayr narrated:[x] my father narrated; Mālik ibn Mighwal narrated; from ʿAbd al-Raḥmān ibn al-Aswad; from his father; from ʿĀ’ishah. She said: **‘I used to look at the shining of the perfume at the partings of God’s Messenger’s hair (peace be upon him) when he was in *iḥrām*’.**

وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا مَالِكُ بْنُ مِغْوَلٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الأَسْوَدِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: إِنْ كُنْتُ لأَنْظُرُ إِلَى وَبِيصِ الطِّيبِ فِي مَفَارِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ.

[2466–44]. (Dar al-Salam 2694) Muhammad ibn Ḥātim narrated to me: Isḥāq ibn Manṣūr (who is al-Salūlī) narrated to me; Ibrāhīm ibn Yūsuf (who is Ibn Isḥāq ibn Abi Isḥāq al-Sabīʿī) narrated; from his father; from Abu Isḥāq; he heard Ibn al-Aswad saying from his father; from ʿĀ'ishah. She said: **'When God's Messenger was about to start his *iḥrām*, he would apply the best perfume he could find, and I would then see the shining of oil on his head and beard'.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنِي إِسْحَاقُ بْنُ مَنْصُورٍ (وَهُوَ السَّلُولِيُّ)، حَدَّثَنَا إِبْرَاهِيمُ بْنُ يُوسُفَ (وَهُوَ ابْنُ إِسْحَاقَ بْنِ أَبِي إِسْحَاقَ السَّبِيعِيُّ)، عَنْ أَبِيهِ، عَنْ أَبِي إِسْحَاقَ، سَمِعَ ابْنَ الأَسْوَدِ، يَذْكُرُ عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا أَرَادَ أَنْ يُحْرِمَ يَتَطَيَّبُ بِأَطْيَبِ مَا يَجِدُ، ثُمَّ أَرَى وَبِيصَ الدُّهْنِ فِي رَأْسِهِ وَلِحْيَتِهِ بَعْدَ ذَلِكَ.

[2467–45]. (Dar al-Salam 2695-2696) Qutaybah ibn Saʿīd narrated:[xi] ʿAbd al-Wāḥid narrated; from al-Ḥasan ibn ʿUbaydullāh; Ibrāhīm narrated; from al-Aswad; he said: ʿĀ'ishah said: **'I can almost see the shining of musk at the parting of God's Messenger's hair when he was in *iḥrām*'.**

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا عَبْدُ الْوَاحِدِ، عَنِ الْحَسَنِ بْنِ عُبَيْدِ اللهِ، حَدَّثَنَا إِبْرَاهِيمُ، عَنِ الأَسْوَدِ، قَالَ: قَالَتْ عَائِشَةُ رَضِيَ اللهُ عَنْهَا: كَأَنِّي أَنْظُرُ إِلَى وَبِيصِ الْمِسْكِ فِي مَفْرِقِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ.

Isḥāq ibn Ibrāhīm narrated: al-Ḍaḥḥāk ibn Makhlad Abu ʿĀṣim reported; Sufyān narrated; from al-Ḥasan ibn ʿUbaydullāh; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ أَبُو عَاصِمٍ اللهِ، حَدَّثَنَا سُفْيَانُ، عَنِ الْحَسَنِ بْنِ عُبَيْدِ اللهِ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2468–46]. (Dar al-Salam 2697) Ahmad ibn Manīʿ and Yaʿqūb al-Dawraqī narrated to me:[xii] both said: Hushaym narrated; Manṣūr reported; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah. She said: **'I applied perfume containing musk to the Prophet before he started his *iḥrām* and on the Day of Sacrifice, before he performed the *ṭawāf* at the House'.**

وَحَدَّثَنِي أَحْمَدُ بْنُ مَنِيعٍ، وَيَعْقُوبُ الدَّوْرَقِيُّ، قَالا: حَدَّثَنَا هُشَيْمٌ، أَخْبَرَنَا مَنْصُورٌ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: كُنْتُ أُطَيِّبُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَبْلَ أَنْ يُحْرِمَ، وَيَوْمَ النَّحْرِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ، بِطِيبٍ فِيهِ مِسْكٌ.

[2469–47]. (Dar al-Salam 2698) Saʿīd ibn Manṣūr and Abu Kāmil narrated:[xiii] both from Abu ʿAwānah; Saʿīd said: Abu ʿAwānah narrated; from Ibrāhīm ibn Muhammad ibn al-Muntashir; from his father. He said: **'I asked ʿAbdullāh ibn ʿUmar about a man applying perfume then starting his *iḥrām* in the morning. He said: "I do not like to be in *iḥrām* in the morning, smelling of perfume. I would rather rub myself with tar". I went to ʿĀ'ishah and told her that Ibn ʿUmar said: "I do not like to be**

in *iḥrām* in the morning, smelling of perfume. I would rather rub myself with tar". She said: "I perfumed God's Messenger (peace be upon him) when he wanted to start his *iḥrām*, then he went around to his women, and was in the morning in *iḥrām*".'

حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَأَبُو كَامِلٍ جَمِيعًا عَنْ أَبِي عَوَانَةَ، قَالَ سَعِيدٌ حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْـمُنْتَشِرِ، عَنْ أَبِيهِ، قَالَ سَأَلْتُ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، عَنِ الرَّجُلِ يَتَطَيَّبُ ثُمَّ يُصْبِحُ مُحْرِمًا؟ فَقَالَ: مَا أُحِبُّ أَنْ أُصْبِحَ مُحْرِمًا أَنْضَخُ طِيبًا. لأَنْ أُطَلَّيَ بِقَطِرَانٍ أَحَبُّ إِلَيَّ مِنْ أَنْ أَفْعَلَ ذَلِكَ. فَدَخَلْتُ عَلَى عَائِشَةَ، رَضِيَ اللَّهُ عَنْهَا، فَأَخْبَرْتُهَا أَنَّ ابْنَ عُمَرَ قَالَ: مَا أُحِبُّ أَنْ أُصْبِحَ مُحْرِمًا أَنْضَخُ طِيبًا، لأَنْ أُطَلَّيَ بِقَطِرَانٍ أَحَبُّ إِلَيَّ مِنْ أَنْ أَفْعَلَ ذَلِكَ. فَقَالَتْ عَائِشَةُ: أَنَا طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عِنْدَ إِحْرَامِهِ ثُمَّ طَافَ فِي نِسَائِهِ ثُمَّ أَصْبَحَ مُحْرِمًا.

[2470–48]. (Dar al-Salam 2699) Yaḥyā ibn Ḥabīb al-Ḥārithī narrated: Khālid (meaning Ibn al-Ḥārith) narrated; Shuʿbah narrated; from Ibrāhīm ibn Muhammad ibn al-Muntashir. He said: **'I heard my father narrating from ʿĀ'ishah that she said: "I applied perfume to God's Messenger (peace be upon him) then he went round to his wives, then he was in *iḥrām* in the morning, smelling of perfume".'**

حَدَّثَنَا يَحْيَى بْنُ حَبِيبٍ الْحَارِثِيُّ، حَدَّثَنَا خَالِدٌ (يَعْنِي ابْنَ الْحَارِثِ)، حَدَّثَنَا شُعْبَةُ، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْـمُنْتَشِرِ، قَالَ سَمِعْتُ أَبِي يُحَدِّثُ عَنْ عَائِشَةَ، رَضِيَ

اللهُ عَنْهَا انّهَا قَالتْ: كنْتُ اطيِّبُ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ، ثُمَّ يَطُوفُ عَلَى نِسَائِهِ، ثُمَّ يُصْبِحُ مُحْرِمًا يَنْضَخُ طِيبًا.

[2471–49]. (Dar al-Salam 2700) Abu Kurayb narrated: Wakīʿ narrated; from Misʿar and Sufyān; from Ibrāhīm ibn Muhammad ibn al-Muntashir; from his father. **He said: ‘I heard Ibn ʿUmar say: “To be in the morning rubbed in tar is preferable to me than to be in *iḥrām* and smelling of perfume”. I went to ʿĀ’ishah and told her what he said. She said: “I perfumed God’s Messenger (peace be upon him) and he went to see his wives, and he was in *iḥrām* the next morning”.’**

وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، وَسُفْيَانَ، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْـمُنْتَشِرِ عَنْ أَبِيهِ، قَالَ سَمِعْتُ ابْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ: لَأَنْ أُصْبِحَ مُطَّلِيًا بِقَطِرَانٍ أَحَبُّ إِلَيَّ مِنْ أَنْ أُصْبِحَ مُحْرِمًا أَنْضَخُ طِيبًا. قَالَ: فَدَخَلْتُ عَلَى عَائِشَةَ، .رَضِىَ اللهُ عَنْهَا، فَأَخْبَرْتُهَا بِقَوْلِهِ، فَقَالَتْ: طَيَّبْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَطَافَ فِي نِسَائِهِ ثُمَّ أَصْبَحَ مُحْرِمًا.

Text Explanation

In the first few hadiths in this chapter, No. 2453–2457 ʿĀ'ishah mentions that she applied perfume to the Prophet when he was about to start his consecration, or *iḥrām*, for hajj. This provides evidence that it is desirable to wear perfume when one is getting ready to start one's consecration, and that it is permissible that one is still smelling of it when one is in consecration. What is not permissible, indeed forbidden, is to use it when one is already in a state of consecration. This is the view of our Shāfiʿī school, and it is the view of a large number of the Prophet's Companions and the *tābiʿīn*, as well as the majority of Hadith and Fiqh scholars, including Saʿd ibn Abi Waqqāṣ, Ibn ʿAbbās, Ibn al-Zubayr, Muʿāwiyah, ʿĀ'ishah, Umm Ḥabībah, Abu Ḥanīfah, al-Thawrī, Abu Yūsuf, Ahmad, Dāwūd and others. Others take the view that perfume may not be used when one is about to start the *iḥrām*. These include al-Zuhrī, Mālik, Muhammad ibn al-Ḥasan and a number of the Prophet's Companions and the *tābiʿīn*. *Qadi* ʿIyāḍ said:

> These scholars understand the hadith narrated by ʿĀ'ishah as meaning that the Prophet used the perfume first and then took a bath which removed the smell of perfume before he started his consecration. This is confirmed by her other hadith, No. 2469 which says: 'I perfumed God's Messenger (peace be upon him) when he wanted to start his *iḥrām*, then he went around to his women, and was in the morning in *iḥrām*'. It appears from this hadith that he used the perfume before he went to see his wives and its effect was removed when he later took a bath. Needless to say, no smell of perfume is left after that. Thus, her words in No. 2470 'he was in *iḥrām* in the morning, smelling of perfume', would mean that this was before he took a bath. In the earlier hadith, No. 2457 the perfume she used was *dharīrah,* which goes off when it is washed.

This is the view of *Qadi* ʿIyāḍ, but it is not agreed upon by other scholars. The correct view is the one expressed by the majority of scholars which makes wearing perfume desirable before one starts one's *iḥrām*. This is

based on ʿĀ'ishah's statement in the first hadith, No. 2453 'I applied perfume to God's Messenger for his *iḥrām*'. This is further confirmed by her subsequent statements that she could see the shining of the perfume on his head. *Qadi* ʿIyāḍ's understanding is disagreed with because it is contrary to the apparent meaning, with no supporting evidence that requires us to accept it.

In the same hadith, she says that she also applied perfume to the Prophet 'for his release before his *ṭawāf*'. This means the *ṭawāf al-ifāḍah*, and it makes it clear that it is desirable to apply perfume after one has done the stoning at the ʿAqabah Jamrah and shaved one's head or cut one's hair, but before doing the obligatory *ṭawāf*. This is the view of al-Shāfiʿī and all scholars, but Mālik disapproves of using perfume before the *ṭawāf al-ifāḍah*, and his argument is contrary to this hadith.

ʿĀ'ishah says in this hadith that she applied the perfume to the Prophet 'for his release' from consecration. This is a clear statement that a release has taken place. In hajj, there are two releases which occur when the pilgrim has completed three duties: stoning at the ʿAqabah Jamrah, shaving one's head and the *ṭawāf al-ifāḍah* together with the *saʿī* between al-Ṣafa and al-Marwah if one has not done the *saʿī* after the *ṭawāf* of arrival. When a pilgrim has completed all these three duties, he obtains both releases, but only one release is achieved with any two of the three. The first release removes all the restrictions of *iḥrām* except foreplay and sex with one's wife. This is only removed when the second release has occurred. Some scholars of our school say that foreplay is permissible after the first release, but not intercourse. Another view of al-Shāfiʿī suggests that the first release removes the restrictions on dress, shaving one's head and clipping one's nails, but the correct view is what we said earlier, but God knows best. In the second version of this hadith, No. 2454 ʿĀ'ishah says that she applied the perfume to the Prophet 'for his release when he finished [his consecration] before he performed the *ṭawāf* around the House'. It is clear that the first release occurs after the stoning at the ʿAqabah Jamrah and shaving one's head, before performing the *ṭawāf al-ifāḍah*. This is agreed upon by scholars.

In hadith No. 2469–2471 the Prophet 'went around to his wives'. It may be said that scholars say that the smallest portion of time to spend with

one's wife, if one has more than one, is one night. So how come the Prophet went to all of them on the same night? The answer is in two ways: the first is that this was with their consent. All scholars agree that it is permissible in any form to which they consent. The other wonders whether equality was required of the Prophet at all times.[xiv] Our scholars hold different views on this point. Abu Saʿīd al-Iṣṭskhrī said it was not a duty of the Prophet, but he used to treat them equally and draw lots on occasions, as a gesture of good will, not as a duty. The majority say that fair treatment was a duty of the Prophet. According to al-Iṣṭakhrī's view, there is no problem with what the Prophet did, but God knows best.

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i. Related by al-Nasā'ī, 2686.
ii. Related by al-Bukhari, 1539; Abu Dāwūd, 1745; al-Nasā'ī, 2684.
iii. Related by Ibn Mājah, 3042.
iv. Related by al-Bukhari, 5930
v. Related by al-Bukhari, 5928; al-Nasā'ī, 2688, 2689.
vi. Related by al-Bukhari, 1538; al-Nasā'ī, 2693, 2694, 2695.
vii. Related by al-Nasā'ī, 2697.
viii. Related by Ibn Mājah, 2927.
ix. Related by al-Bukhari, 271 and 5918; al-Nasā'ī, 2696.
x. Related by al-Bukhari, 5923; al-Nasā'ī, 2700.
xi. Related by Abu Dāwūd, 1746; al-Nasā'ī, 2692.
xii. Related by al-Tirmidhī, 917; al-Nasā'ī, 2691.
xiii. Related by al-Bukhari, 267, 270; al-Nasā'ī, 415, 429, 2703, 2704.
xiv. It is clear that the Prophet stayed with each of them for a short while, enquiring how each one was and whether she needed anything. It was the Prophet's habit to do this every day after ʿAṣr prayer when he was in Madinah. It is clearly understood that he did the same on this occasion.

CHAPTER 8

THE PROHIBITION OF HUNTING DURING CONSECRATION

[2472–50]. (Dar al-Salam 2701) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Ibn Shihāb; from ʿUbaydullāh ibn ʿAbdullāh; from Ibn ʿAbbās; from al-Ṣaʿb ibn Jaththāmah al-Laythī; that **‘he gave a zebra [he had hunted] as a gift to the Prophet when he was at al-Abwā’ (or at Waddān), but the Prophet returned it’. He added: ‘When God’s Messenger (peace be upon him) saw the expression on my face, he said: “We have returned it to you only because we are in consecration”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللهِ بْنِ عَبْدِ اللهِ، عَنِ ابْنِ عَبَّاسٍ، عَنِ الصَّعْبِ بْنِ جَثَّامَةَ اللَّيْثِيِّ، أَنَّهُ أَهْدَى لِرَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِمَارًا وَحْشِيًّا وَهُوَ بِالأَبْوَاءِ، أَوْ بِوَدَّانَ، فَرَدَّهُ عَلَيْهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، قَالَ: فَلَمَّا أَنْ رَأَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَا فِي وَجْهِي قَالَ: «إِنَّا لَمْ نَرُدَّهُ عَلَيْكَ إِلاَّ أَنَّا حُرُمٌ».

[2473–51]. (Dar al-Salam 2702) Yaḥyā ibn Yaḥyā, Muhammad ibn Rumḥ and Qutaybah narrated: all from al-Layth ibn Saʿd [H]. Also, ʿAbd ibn Ḥumayd narrated; ʿAbd al-Razzāq reported; Maʿmar reported [H]. And Ḥasan al-Ḥulwānī nar-rated; Yaʿqūb narrated; my father narrated; from Ṣāliḥ; all from al-Zuhrī; with this chain of transmission: **‘I gave him a zebra as a gift…’ as Mālik mentioned.**

In al-Layth’s and Ṣāliḥ’s narration: **‘that al-Ṣaʿb ibn Jaththāmah reported to him’**.

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَمُحَمَّدُ بْنُ رُمْحٍ، وَقُتَيْبَةُ، جَمِيعًا عَنِ اللَّيْثِ بْنِ سَعْدٍ ح. وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ ح. وَحَدَّثَنَا حَسَنٌ الْحُلْوَانِيُّ، حَدَّثَنَا يَعْقُوبُ، حَدَّثَنَا أَبِي، عَنْ صَالِحٍ، كُلُّهُمْ عَنِ الزُّهْرِيِّ، بِهَذَا الإِسْنَادِ: أَهْدَيْتُ لَهُ حِمَارَ وَحْشٍ... كَمَا قَالَ مَالِكٌ. وَفِي حَدِيثِ اللَّيْثِ وَصَالِحٍ أَنَّ الصَّعْبَ بْنَ جَثَّامَةَ أَخْبَرَهُ.

[2474–52]. (Dar al-Salam 2703) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and ʿAmr al-Nāqid narrated: they said: Sufyān ibn ʿUyaynah narrated; from al-Zuhrī; with the same chain of transmission: **the same text except that he said: ‘I gave him a gift of the meat of a zebra’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَمْرٌو النَّاقِدُ قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، بِهَذَا الإِسْنَادِ، وَقَالَ: أَهْدَيْتُ لَهُ مِنْ لَحْمِ حِمَارِ وَحْشٍ.

[2475–53]. (Dar al-Salam 2704) Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[ii] both said: Abu Muʿāwiyah narrated; from al-Aʿmash; from Ḥabīb ibn Abi Thābit; from Saʿīd ibn Jubayr; from Ibn ʿAbbās. He said: **‘Al-Ṣaʿb ibn Jaththāmah gifted a zebra to the Prophet when he was in *iḥrām*, but the Prophet returned it and said: “Had we not been in consecration, we would have accepted your gift”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ قَالا: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: أَهْدَى الصَّعْبُ بْنُ جَثَّامَةَ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِمَارَ وَحْشٍ وَهُوَ مُحْرِمٌ، فَرَدَّهُ عَلَيْهِ وَقَالَ: «لَوْلاَ أَنَّا مُحْرِمُونَ لَقَبِلْنَاهُ مِنْكَ».

[2476–54]. (Dar al-Salam 2705) Yaḥyā ibn Yaḥyā narrated: al-Muʿtamir ibn Sulaymān reported; he said: I heard Manṣūr narrating from al-Ḥakam [H]. Also, Muhammad ibn al-Muthannā and Ibn Bashshār narrated; both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from al-Ḥakam [H]. ʿUbaydullāh ibn Muʿādh narrated; my father narrated; Shuʿbah narrated; all from Ḥabīb; from Saʿīd ibn Jubayr; from Ibn ʿAbbās: **the same text.**

In Manṣūr’s narration from al-Ḥakam: **‘Al-Ṣaʿb ibn Jaththāmah gave a zebra’s leg as a gift to the Prophet (peace be upon him)’.**

And in Shuʿbah’s narration from al-Ḥakam: **‘The bottom part of a zebra’s back, which was still bleeding, was given to the Prophet as a gift’.**

And in Shuʿbah’s narration from Ḥabīb: **‘Half a zebra was given to the Prophet as a gift, but he returned it’.**

وَحَدَّثَنَاهُ يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا الْـمُعْتَمِرُ بْنُ سُلَيْمَانَ، قَالَ سَمِعْتُ مَنْصُورًا، يُحَدِّثُ عَنِ الْحَكَمِ ح. وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ قَالَا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، ح. وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنْ حَبِيبٍ، جَمِيعًا عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا،

فِي رِوَايَةِ مَنْصُورٍ عَنِ الْحَكَمِ: أَهْدَى الصَّعْبُ بْنُ جَثَّامَةَ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رِجْلَ حِمَارِ وَحْشٍ.

وَفِي رِوَايَةِ شُعْبَةَ عَنِ الْحَكَمِ: عَجُزَ حِمَارِ وَحْشٍ يَقْطُرُ دَمًا.

وَفِي رِوَايَةِ شُعْبَةَ عَنْ حَبِيبٍ أُهْدِيَ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: شِقُّ حِمَارِ وَحْشٍ، فَرَدَّهُ.

[2477–55]. (Dar al-Salam 2706) Zuhayr ibn Ḥarb narrated to me:[iii] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; he said: al-Ḥasan ibn Muslim reported to me; from Ṭāwūs; from Ibn ʿAbbās. He said: **‘Zayd ibn Arqam arrived, and ʿAbdullāh ibn ʿAbbās asked him to remind him: “What did you tell me about some meat of a hunted animal that was gifted to God’s Messenger when he was in consecration?” He said: “A part of a hunted animal’s meat was given as a gift to him, but he returned it and said: ‘We cannot eat it, as we are in consecration’.”’**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، قَالَ أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: قَدِمَ زَيْدُ بْنُ أَرْقَمَ فَقَالَ لَهُ عَبْدُ اللهِ بْنُ عَبَّاسٍ يَسْتَذْكِرُهُ: كَيْفَ أَخْبَرْتَنِي عَنْ لَحْمِ صَيْدٍ أُهْدِيَ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ حَرَامٌ؟ قَالَ قَالَ: أُهْدِيَ لَهُ عُضْوٌ مِنْ لَحْمِ صَيْدٍ فَرَدَّهُ. فَقَالَ: «إِنَّا لاَ نَأْكُلُهُ. إِنَّا حُرُمٌ».

[2478–56]. (Dar al-Salam 2707) Qutaybah ibn Saʿīd narrated:[iv] Sufyān narrated; from Ṣāliḥ ibn Kaysān [H]. Also, Ibn Abi ʿUmar narrated (his text); Sufyān narrated; Ṣāliḥ ibn Kaysān narrated; he said: I heard Abu Muhammad, Abu Qatādah's *mawlā*, say: I heard Abu Qatādah say: **'We were travelling with God's Messenger (peace be upon him), and we reached al-Qāḥah. Some of us were in consecration while others were not. I noted that my companions were looking at something. I looked and saw a zebra. I put the saddle on my horse and took my spear. I rode, but I dropped my whip. I said to my companions who were in consecration: "Hand me my whip". They said: "By God, we shall not give you any help [against the zebra]". I dismounted, picked it up and rode again. I caught up with the zebra from the rear as it was beyond a knoll. I stabbed it with my spear and wounded it. I took it to my companions, and some of them said: "You may eat it", while others said: "Do not". The Prophet was ahead of us. I rode my horse and caught up with him. He said: "It is lawful to eat. You may eat it".'**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا سُفْيَانُ، عَنْ صَالِحِ بْنِ كَيْسَانَ ح. وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ (وَاللَّفْظُ له)، حَدَّثَنَا

سُفْيَانُ، حَدّثَنَا صَالِحُ بْنُ كيْسَانَ، قَالَ: سَمِعْتُ ابَا مُحَمَّدٍ مَوْلَى أَبِي قَتَادَةَ يَقُولُ: سَمِعْتُ أَبَا قَتَادَةَ يَقُولُ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَتَّى إِذَا كُنَّا بِالْقَاحَةِ، فَمِنَّا الْـمُحْرِمُ وَمِنَّا غَيْرُ الْـمُحْرِمِ، إِذْ بَصُرْتُ بِأَصْحَابِي يَتَرَاءَوْنَ شَيْئًا، فَنَظَرْتُ فَإِذَا حِمَارُ وَحْشٍ. فَأَسْرَجْتُ فَرَسِي وَأَخَذْتُ رُمْحِي، ثُمَّ رَكِبْتُ، فَسَقَطَ مِنِّي سَوْطِي، فَقُلْتُ لأَصْحَابِي وَكَانُوا مُحْرِمِينَ: نَاوِلُونِي السَّوْطَ. فَقَالُوا: وَاللهِ لاَ نُعِينُكَ عَلَيْهِ بِشَيْءٍ. فَنَزَلْتُ فَتَنَاوَلْتُهُ ثُمَّ رَكِبْتُ، فَأَدْرَكْتُ الْحِمَارَ مِنْ خَلْفِهِ، وَهُوَ وَرَاءَ أَكَمَةٍ، فَطَعَنْتُهُ بِرُمْحِي فَعَقَرْتُهُ، فَأَتَيْتُ بِهِ أَصْحَابِي، فَقَالَ بَعْضُهُمْ كُلُوهُ. وَقَالَ بَعْضُهُمْ لاَ تَأْكُلُوهُ. وَكَانَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَامَنَا، فَحَرَّكْتُ فَرَسِي فَأَدْرَكْتُهُ، فَقَالَ: «هُوَ حَلاَلٌ فَكُلُوهُ».

[2479–57]. (Dar al-Salam 2708) Yaḥyā ibn Yaḥyā narrated: he said: I read out to Mālik [H]. Also, Qutaybah narrated; from Mālik as was read to him; from Abu al-Naḍr; from Nāfiʿ, Abu Qatādah's *mawlā*; from Abu Qatādah; that **'He was with God's Messenger (peace be upon him). When he was at some point on the way to Makkah, he stayed behind with some of his companions who were in the state of consecration, while he was not so. He saw a zebra and mounted his horse. He requested his companions to hand him his whip, but they did not. He asked them to hand him his spear and they refused. He took it up, then pursued the zebra and killed it. Some of the Prophet's companions ate of it while others refused. When they caught up with the Prophet, they asked him about it. He said: "It is food God has given you".'**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ ح. وَحَدَّثَنَا قُتَيْبَةُ، عَنْ مَالِكٍ فِيمَا قُرِئَ عَلَيْهِ، عَنْ أَبِي النَّضْرِ، عَنْ نَافِعٍ، مَوْلَى أَبِي قَتَادَةَ عَنْ أَبِي قَتَادَةَ، رَضِيَ اللهُ عَنْهُ، أَنَّهُ كَانَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، حَتَّى إِذَا كَانَ بِبَعْضِ طَرِيقِ مَكَّةَ تَخَلَّفَ مَعَ أَصْحَابٍ لَهُ مُحْرِمِينَ، وَهُوَ غَيْرُ مُحْرِمٍ. فَرَأَى حِمَارًا وَحْشِيًّا، فَاسْتَوَى عَلَى فَرَسِهِ، فَسَأَلَ أَصْحَابَهُ أَنْ يُنَاوِلُوهُ سَوْطَهُ فَأَبَوْا عَلَيْهِ، فَسَأَلَهُمْ رُمْحَهُ فَأَبَوْا عَلَيْهِ، فَأَخَذَهُ، ثُمَّ شَدَّ عَلَى الْحِمَارِ فَقَتَلَهُ. فَأَكَلَ مِنْهُ بَعْضُ أَصْحَابِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَأَبَى بَعْضُهُمْ. فَأَدْرَكُوا رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَسَأَلُوهُ عَنْ ذَلِكَ فَقَالَ: «إِنَّمَا هِيَ طُعْمَةٌ أَطْعَمَكُمُوهَا اللهُ».

[2480–58]. (Dar al-Salam 2709) Qutaybah narrated:[v] from Mālik; from Zayd ibn Aslam; from ʿAṭā’ ibn Yasār; from Abu Qatādah: **concerning zebras, the same as Abu al-Naḍr’s hadith, except that in Zayd ibn Aslam’s narration it adds that the Prophet (peace be upon him) said: ‘Do you still have some of its meat?’**

وَحَدَّثَنَا قُتَيْبَةُ، عَنْ مَالِكٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ أَبِي قَتَادَةَ، رَضِيَ اللهُ عَنْهُ، فِي حِمَارِ الْوَحْشِ. مِثْلَ حَدِيثِ أَبِي النَّضْرِ، غَيْرَ أَنَّ فِي حَدِيثِ زَيْدِ بْنِ أَسْلَمَ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «هَلْ مَعَكُمْ مِنْ لَحْمِهِ شَيْءٌ»؟

[2481–59]. (Dar al-Salam 2710) Ṣāliḥ ibn Mismār al-Sulamī narrated:[vi] Muʿādh ibn Hishām narrated; my father narrated to me;

from Yaḥyā ibn Abi Kathīr; ʿAbdullāh ibn Abi Qatādah narrated to me. He said: **‘My father set out with God’s Messenger (peace be upon him) in the Year of al-Ḥudaybiyah. His Companions were in *iḥrām* but he was not. God’s Messenger had been informed that an enemy was at Ghayqah. God’s Messenger set out [to confront the enemy]’.**

He said: ‘As I was with his [i.e., the Prophet’s] Companions and some of them were laughing with the others, I looked up and saw a zebra. I attacked it, stabbed it and made it motionless. I asked them to help, but they refused. We ate of its meat. We feared to be left behind, so I moved forward trying to catch up with God’s Messenger (peace be upon him), driving my horse hard at times and keeping a steady pace at others. I met a man from Ghifār during the night. I asked him: “Where did you meet God’s Messenger (peace be upon him)?” He said: “I left him at Tiʿhin, and he was to have a nap at al-Suqyā”. I caught up with him. I said: “Messenger of God, your Companions send you their greetings together with God’s mercy, and they fear that they might be left behind and cannot catch up with you. Please wait for them”. He waited for them. I said: “Messenger of God, I have hunted, and I have with me some of it”. The Prophet said to the people: “Eat”, and they were all in consecration’.

وَحَدَّثَنَا صَالِحُ بْنُ مِسْمَارٍ السُّلَمِيُّ، حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ، حَدَّثَنِي أَبِي، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، حَدَّثَنِي عَبْدُ اللهِ بْنُ أَبِي قَتَادَةَ، قَالَ: انْطَلَقَ أَبِي مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ الْحُدَيْبِيَةِ، فَأَحْرَمَ أَصْحَابُهُ وَلَمْ يُحْرِمْ. وَحُدِّثَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّ عَدُوًّا بِغَيْقَةَ، فَانْطَلَقَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ –

قَالَ: فَبَيْنَمَا انَا مَعَ اصْحَابِهِ يَضْحَكَ بَعْضُهُمْ إِلى بَعْضٍ إِذْ نَظَرْتُ فَإِذَا أَنَا بِحِمَارِ وَحْشٍ، فَحَمَلْتُ عَلَيْهِ فَطَعَنْتُهُ، فَأَثْبَتُّهُ، فَاسْتَعَنْتُهُمْ فَأَبَوْا أَنْ يُعِينُونِي. فَأَكَلْنَا مِنْ لَحْمِهِ. وَخَشِينَا أَنْ نُقْتَطَعَ. فَانْطَلَقْتُ أَطْلُبُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَرَفِّعُ فَرَسِي شَأْوًا وَأَسِيرُ شَأْوًا، فَلَقِيتُ رَجُلاً مِنْ بَنِي غِفَارٍ فِي جَوْفِ اللَّيْلِ، فَقُلْتُ: أَيْنَ لَقِيتَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: تَرَكْتُهُ بِتِعْهِنَ. وَهُوَ قَائِلٌ السُّقْيَا. فَلَحِقْتُهُ فَقُلْتُ: يَا رَسُولَ اللهِ، إِنَّ أَصْحَابَكَ يَقْرَءُونَ عَلَيْكَ السَّلاَمَ وَرَحْمَةَ اللهِ، وَإِنَّهُمْ قَدْ خَشُوا أَنْ يُقْتَطَعُوا دُونَكَ، انْتَظِرْهُمْ. فَانْتَظَرَهُمْ. فَقُلْتُ يَا رَسُولَ اللهِ: إِنِّي أَصَدْتُ وَمَعِي مِنْهُ فَاضِلَةٌ، فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِلْقَوْمِ: «كُلُوا». وَهُمْ مُحْرِمُونَ.

[2482–60]. (Dar al-Salam 2711) Abu Kāmil al-Jaḥdarī narrated to me:[vii] Abu ʿAwānah narrated; from ʿUthmān ibn ʿAbdullāh ibn Mawhab; from ʿAbdullāh ibn Abi Qatādah; from his father. He said: **‘God’s Messenger (peace be upon him) set out for hajj and we set out with him. He sent a group of his Companions including Abu Qatādah and said to them: “Take the route along the sea-shore until you meet me”. They took the sea-shore route. When they turned to meet God’s Messenger, all of them started their consecration except Abu Qatādah. As they travelled on, they saw some zebras, and Abu Qatādah set on them and stabbed a female zebra. They stopped and ate of its meat. They then thought: “We have eaten meat and we are in consecration”. They carried what was left of the zebra meat. When they met the Prophet (peace be upon him) they said: “Messenger of God, we were in consecration, but Abu Qatādah**

was not. We saw zebras and Abu Qatādah set on them and stabbed a female zebra. We stopped and ate of its meat. We subsequently thought that we ate the meat of a hunted animal when we were in consecration. We carried what was left of its meat". The Prophet said: "Did any of you tell him or indicate to him anything [of what to do]?" They said: "No". He said: "You may eat the meat that is left".'

حَدَّثَنِي أَبُو كَامِلٍ الْجَحْدَرِيُّ، حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ عُثْمَانَ بْنِ عَبْدِ اللهِ بْنِ مَوْهَبٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي قَتَادَةَ، عَنْ أَبِيهِ، رَضِيَ اللَّهُ عَنْهُ، قَالَ: خَرَجَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَاجًّا وَخَرَجْنَا مَعَهُ. قَالَ: فَصَرَفَ مِنْ أَصْحَابِهِ فِيهِمْ أَبُو قَتَادَةَ، فَقَالَ: «خُذُوا سَاحِلَ الْبَحْرِ حَتَّى تَلْقَوْنِي». قَالَ فَأَخَذُوا سَاحِلَ الْبَحْرِ. فَلَمَّا انْصَرَفُوا قِبَلَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَحْرَمُوا كُلُّهُمْ، إِلاَّ أَبَا قَتَادَةَ فَإِنَّهُ لَمْ يُحْرِمْ. فَبَيْنَمَا هُمْ يَسِيرُونَ إِذْ رَأَوْا حُمُرَ وَحْشٍ، فَحَمَلَ عَلَيْهَا أَبُو قَتَادَةَ فَعَقَرَ مِنْهَا أَتَانًا. فَنَزَلُوا فَأَكَلُوا مِنْ لَحْمِهَا. قَالَ: فَقَالُوا أَكَلْنَا لَحْمًا وَنَحْنُ مُحْرِمُونَ! قَالَ: فَحَمَلُوا مَا بَقِيَ مِنْ لَحْمِ الأَتَانِ. فَلَمَّا أَتَوْا رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالُوا: يَا رَسُولَ اللهِ إِنَّا كُنَّا أَحْرَمْنَا، وَكَانَ أَبُو قَتَادَةَ لَمْ يُحْرِمْ، فَرَأَيْنَا حُمُرَ وَحْشٍ، فَحَمَلَ عَلَيْهَا أَبُو قَتَادَةَ فَعَقَرَ مِنْهَا أَتَانًا، فَنَزَلْنَا فَأَكَلْنَا مِنْ لَحْمِهَا. فَقُلْنَا نَأْكُلُ لَحْمَ صَيْدٍ وَنَحْنُ مُحْرِمُونَ. فَحَمَلْنَا مَا بَقِيَ مِنْ لَحْمِهَا. فَقَالَ: «هَلْ مِنْكُمْ أَحَدٌ أَمَرَهُ أَوْ أَشَارَ إِلَيْهِ بِشَىْءٍ؟» قَالَ قَالُوا: لا. قَالَ: «فَكُلُوا مَا بَقِيَ مِنْ لَحْمِهَا».

[2483–61]. (Dar al-Salam 2712) Muhammad ibn al-Muthannā narrated: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated [H]. Al-Qāsim ibn Zakariyyā’ narrated to me; ʿUbaydullāh narrated; from Shaybān; all from ʿUthmān ibn ʿAbdullāh ibn Mawhab; with this chain of transmission: **the same text.**

But in Shaybān’s version the Prophet (peace be upon him) said: **‘Did any of you tell him to set on it or point it out to him?’**

And in Shuʿbah’s narration, he said: **‘Did you indicate, or help, or excite [the animal]?’ Shuʿbah said: ‘I do not know whether he said “helped” or “hunted”.’**

وَحَدَّثَنَاهُ مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ ح. وَحَدَّثَنِي الْقَاسِمُ بْنُ زَكَرِيَّاءَ، حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ شَيْبَانَ، جَمِيعًا عَنْ عُثْمَانَ بْنِ عَبْدِ اللهِ بْنِ مَوْهَبٍ، بِهَذَا الإِسْنَادِ.

فِي رِوَايَةِ شَيْبَانَ فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «أَمِنْكُمْ أَحَدٌ أَمَرَهُ أَنْ يَحْمِلَ عَلَيْهَا أَوْ أَشَارَ إِلَيْهَا»؟

وَفِي رِوَايَةِ شُعْبَةَ قَالَ: «أَشَرْتُمْ أَوْ أَعَنْتُمْ»؟ أَوْ «أَصَدْتُمْ»؟ قَالَ شُعْبَةُ: لاَ أَدْرِي قَالَ «أَعَنْتُمْ أَوْ أَصَدْتُمْ»؟

[2484–62]. (Dar al-Salam 2713) ʿAbdullāh ibn ʿAbd al-Raḥmān al-Dārimī narrated: Yaḥyā ibn Ḥassān reported; Muʿāwiyah (who is Ibn Sallām) narrated; Yaḥyā reported to me; ʿAbdullāh ibn Abi Qatādah reported to me; that **his father told him that he was with God’s Messenger (peace be upon him) on the Ḥudaybiyah Expedition. He said: ‘They all started consecration for the**

ʿumrah, except me. I hunted a zebra. I gave my companions of it when they were in *iḥrām*, then I joined God's Messenger (peace be upon him) and told him that we had some of its meat left. He said: "Eat it", and they were in consecration'.

حَدَّثَنَا عَبْدُ اللهِ بْنُ عَبْدِ الرَّحْمَنِ الدَّارِمِيُّ، أَخْبَرَنَا يَحْيَى بْنُ حَسَّانَ، حَدَّثَنَا مُعَاوِيَةُ (وَهُوَ ابْنُ سَلاَّمٍ)، أَخْبَرَنِي يَحْيَى، أَخْبَرَنِي عَبْدُ اللهِ بْنُ أَبِي قَتَادَةَ، أَنَّ أَبَاهُ، رَضِيَ اللهُ عَنْهُ، أَخْبَرَهُ أَنَّهُ غَزَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ غَزْوَةَ الْحُدَيْبِيَةِ. قَالَ: فَأَهَلُّوا بِعُمْرَةٍ، غَيْرِي. قَالَ: فَاصْطَدْتُ حِمَارَ وَحْشٍ، فَأَطْعَمْتُ أَصْحَابِي وَهُمْ مُحْرِمُونَ. ثُمَّ أَتَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَنْبَأْتُهُ أَنَّ عِنْدَنَا مِنْ لَحْمِهِ فَاضِلَةً. فَقَالَ: «كُلُوهُ»، وَهُمْ مُحْرِمُونَ.

[2485–63]. (Dar al-Salam 2714) Ahmad ibn ʿAbdah al-Ḍabbī narrated:[viii] Fuḍayl ibn Sulaymān al-Numayrī narrated; Abu Ḥāzim narrated; from ʿAbdullāh ibn Abi Qatādah; from his father that **they set out with God's Messenger (peace be upon him). They were in *iḥrām* but Abu Qatādah was not. He narrated the hadith, adding that the Prophet said: 'Do you have some of it left?' They said: 'We have its leg'. He added that God's Messenger (peace be upon him) took it and ate of it.**

حَدَّثَنَا أَحْمَدُ بْنُ عَبْدَةَ الضَّبِّيُّ، حَدَّثَنَا فُضَيْلُ بْنُ سُلَيْمَانَ النُّمَيْرِيُّ، حَدَّثَنَا أَبُو حَازِمٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي قَتَادَةَ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، أَنَّهُمْ خَرَجُوا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُمْ مُحْرِمُونَ، وَأَبُو قَتَادَةَ مُحِلٌّ.

وَسَاقَ الحَدِيثَ، وَفِيهِ فَقَالَ: «هَلْ مَعَكُمْ مِنْهُ شَيْءٌ»؟ قَالُوا مَعَنَا رِجْلُهُ. قَالَ: فَأَخَذَهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَكَلَهَا.

[2486–64]. (Dar al-Salam 2715) Abu Bakr ibn Abi Shaybah narrated: Abu al-Aḥwaṣ narrated [H]. Qutaybah and Isḥāq narrated; from Jarīr; both from ʿAbd al-ʿAzīz ibn Rufayʿ; from ʿAbdullāh ibn Abi Qatādah. He said: **‘Abu Qatādah was with a group who were in consecration, but Abu Qatādah was not…’ He narrated the hadith, stating in it that the Prophet said: ‘Did any of you indicate to him or tell him anything?’ They said: ‘No, Messenger of God’. He said: ‘Then eat’.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو الأَحْوَصِ، ح. وَحَدَّثَنَا قُتَيْبَةُ، وَإِسْحَاقُ، عَنْ جَرِيرٍ، كِلاَهُمَا عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي قَتَادَةَ، قَالَ: كَانَ أَبُو قَتَادَةَ فِي نَفَرٍ مُحْرِمِينَ، وَأَبُو قَتَادَةَ مُحِلٌّ. وَاقْتَصَّ الْحَدِيثَ، وَفِيهِ قَالَ: «هَلْ أَشَارَ إِلَيْهِ إِنْسَانٌ مِنْكُمْ أَوْ أَمَرَهُ بِشَيْءٍ»؟ قَالُوا: لا يَا رَسُولَ اللهِ. قَالَ: «فَكُلُوا».

[2487–65]. (Dar al-Salam 2716) Zuhayr ibn Ḥarb narrated to me:[ix] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Muhammad ibn al-Munkadir reported to me; from Muʿādh ibn ʿAbd al-Raḥmān ibn ʿUthmān al-Taymī; from his father. He said: **‘We were with Ṭalḥah ibn ʿUbaydullāh and we were in consecration. A bird was given to him as a gift, when Ṭalḥah was asleep. Some of us ate and some refrained. When Ṭalḥah woke up, he endorsed the action of those who ate and said: “We ate of it with God’s Messenger (peace be upon him)”.’**

حَدّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي مُحَمَّدُ بْنُ الْـمُنْكَدِرِ، عَنْ مُعَاذِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عُثْمَانَ التَّيْمِيِّ، عَنْ أَبِيهِ، قَالَ: كُنَّا مَعَ طَلْحَةَ بْنِ عُبَيْدِ اللَّهِ وَنَحْنُ حُرُمٌ، فَأُهْدِيَ لَهُ طَيْرٌ، وَطَلْحَةُ رَاقِدٌ. فَمِنَّا مَنْ أَكَلَ وَمِنَّا مَنْ تَوَرَّعَ. فَلَمَّا اسْتَيْقَظَ طَلْحَةُ وَفَّقَ مَنْ أَكَلَهُ، وَقَالَ: أَكَلْنَاهُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

The hadiths speak about a zebra that was hunted. In al-Bukhari's *Ṣaḥīḥ*, a chapter is entitled, 'A person in consecration may not accept a live zebra as a gift'. In the hadith mentioned in this chapter, the reference is to a full animal. The same understanding is attributed to Mālik, but it is wrong. All the hadiths related by Muslim in this chapter clearly mention that the hunted zebra was killed, and that the gift was some of its meat, not the whole carcass. All scholars agree that hunting is forbidden for a person who is in a state of *iḥrām*, or consecration. Al-Shāfiʿī and others also say that it is forbidden for such a person to own something that has been hunted, whether by buying it or receiving it as a gift or by any similar way. Scholars hold different views on whether it is permissible to own such hunted meat through inheritance.

As for the meat of a hunted animal, it is forbidden for a person in *iḥrām*, whether he is the hunter, or someone else hunted it for him, with or without his permission or consent. If the hunter is not in consecration and undertook the hunting for himself, with no intention of giving it to a person in consecration, but who then gives him some of its meat as a gift or sells it to him, then this is not forbidden for the person in consecration to have and eat it. This is the view of our Shāfiʿī School, and it is the view of Mālik, Ahmad and Dāwūd. Abu Ḥanīfah said: 'It is not forbidden for a *muḥrim*, i.e., a person in *iḥrām*, to have what is hunted for him, provided that he does not help in the hunting'. A number of scholars hold that all meat of hunted animals is forbidden for a *muḥrim*, whether the hunting is done by him or someone else, for him or for others. The prohibition is total. This view is mentioned by *Qadi* ʿIyāḍ and attributed to ʿAlī, Ibn ʿUmar and Ibn ʿAbbās. Their view is based on their understanding of the Qur'anic statement: 'You are forbidden land-game as long as you are in the state of consecration [i.e. *iḥrām*].' (5: 96) They argue that 'land-game' means what is hunted. They further cite the hadith mentioning the gift given by al-Ṣaʿb ibn Jaththāmah and the fact that the Prophet returned his gift because he was in consecration. He did not say to al-Ṣaʿb: 'because you undertook the hunting for us'.

In support, al-Shāfiʿī and those who share his view cite the hadith mentioning Abu Qatādah. Abu Qatādah was not in consecration when he did his hunting. The Prophet said to his Companions who were in consecration that it was lawful for them to eat. In another version of this hadith, the Prophet asked whether they had any meat of the hunted animal left. The Prophet then took its leg and ate of it. A hadith related by Abu Dāwūd, al-Tirmidhī and al-Nasā'ī on Jābir's authority, mentions that the Prophet said: 'Land-game is permissible for you if you are not the hunters, and it is not hunted for you'. This hadith, narrated by Jābir, clearly states the difference and provides obvious evidence in support of al-Shāfiʿī's view and against the other two views. Thus, the hadith mentioning Abu Qatādah's case is understood to mean that Abu Qatādah did not intend his hunting for his companions who were in consecration, while in al-Ṣaʿb's case, the hunting is understood to be intended for them. The Qur'anic verse quoted above is understood to prohibit hunting land-game and eating the meat of what is hunted for someone in consecration, as the hadiths explain it. The argument that the Prophet only said to al-Ṣaʿb when he returned his gift that he was in *iḥrām* does not preclude that the hunting was intended for him. The meat of hunted animals is forbidden if it is hunted for one because one is in consecration. The condition is thus made clear. This hadith shows that the Prophet may take gifts but not charity, or *ṣadaqah*. It also shows that if a person refuses a gift for a valid reason, he should make his reason clear so as not to offend the giver.

In hadith No. 2478 the Prophet's companion Abu Qatādah says: 'We were travelling with God's Messenger (peace be upon him), and we reached al-Qāḥah. Some of us were in consecration while others were not…'. Al-Qāḥah is a valley which is around three stages from Madinah and about one Arabian mile from al-Suqyā, which is mentioned in hadith No. 2481. Al-Suqyā is a large village between Makkah and Madinah, close to al-Furʿ. Taʿihin is also mentioned in this hadith, and it is a water spring about three miles from al-Suqyā. Ghayqah, which is also mentioned in hadith No. 2481 is a place in the Ghifār area between Makkah and Madinah, but according to *Qadi* ʿIyāḍ, it is also said to be a well belonging to the Thaʿlabah tribe.

In the same hadith, No. 2478 the narrator says that some were in consecration and others were not. It may be asked, how is it that Abu

Qatādah and others were not in consecration when they were already beyond the *mīqāt*, the point where anyone going to Makkah for the hajj or the ʿumrah must start their consecration? *Qadi* ʿIyāḍ gives the following answer:

> It is suggested that the points of *mīqāt* were not then defined. It is also said that the Prophet had sent Abu Qatādah and his group to find out about an enemy close to the coast, as mentioned in another hadith related by Muslim. Another suggestion is that Abu Qatādah had not started the journey with the Prophet but was later sent to inform the Prophet that some Bedouins were preparing to attack Madinah. Alternatively, it is said that he set out with the Prophet but did not intend his journey as one to perform the hajj or the ʿumrah, but this last suggestion is improbable, and God knows best.

Abu Qatādah then says in the same hadith: ‘I dropped my whip. I said to my companions who were in consecration: “Hand me my whip”. They said: “By God, we shall not give you any help [against the zebra]”.’ And in hadith No. 2486 the Prophet asks Abu Qatādah’s fellow travellers: ‘Did any of you indicate to him or tell him anything?’ They said: ‘No, Messenger of God’. He said: ‘Then eat’. These two hadiths make clear that it is forbidden for a person in *iḥrām* to give indications or other forms of help, including verbal information of the animal’s place, to a hunter. It also provides evidence in support of the view of the majority of scholars against Abu Ḥanīfah, who says that ‘help by a person in consecration is only permissible if it is not possible to catch the animal without it’.

In the same hadith, No. 2478, some of the Prophet’s Companions thought that what Abu Qatādah (who was not in *iḥrām*) hunted was permissible to eat, and some thought it was not. The Prophet then confirmed that it was permissible. This makes it clear that it is permissible to use *ijtihād*, or scholarly reasoning, in matters of detail where there may be different opinions, but God knows best. The Prophet’s answer, ‘It is lawful to eat’, clearly confirms that if a person who is not in consecration hunts an animal without any help, physical indication or verbal information by a *muḥrim*, it is permissible for those in *iḥrām* to eat of it. As stated earlier, this is the view of al-Shāfiʿī and the majority of scholars.

In hadith No. 2481 Abu Qatādah says: ‘As I was with his [i.e., the Prophet’s] Companions and some of them were laughing with the others’. Imam al-Nawawī mentions that ‘in all manuscripts in our areas the word *baʿḍ*, which means “the others” is missing’. This gives the word before it a different inflection and changes its meaning so as to render it: ‘some of them were laughing, facing me’. *Qadi* ʿIyāḍ said: ‘This is a clear mistake, and it occurs in the way the hadith is narrated from Muslim. The correct text is that “some of them were laughing with the others”, as it is correctly stated in other versions. Besides, had they been laughing *towards* him, it would have been an indication, while they said that they did not give him any indication’. Imam al-Nawawī says: ‘It is not possible to dismiss this version as it is authentic like the other. Neither is there any indication or information given about the place of the animal to be hunted. Laughter does not constitute any indication. Scholars have said that they simply laughed as such game animals were readily available to them and yet they could not take any of them because they were in *iḥrām*, but God knows best’.

In hadith No. 2485 the Prophet asked his Companions whether they still had any meat of the hunted zebra left. He then took its leg and ate of it. The Prophet’s action was to reassure his Companions that it was lawful for them to eat and to remove any lingering doubt they might still have had, particularly because initially their views differed.

In hadith No. 2481 Abu Qatādah says to the Prophet when he caught up with him that his companions ‘sent him their greetings together with God’s mercy’. This suggests the desirability to send one’s greetings to the one who is absent, whether that person is superior to the sender or not. Needless to say, if it is appropriate to send a greeting to a superior, it is even more so to an inferior. Our scholars say that it is the duty of the person asked to give such greetings to deliver them, and it is equally a duty of the recipient to return such greetings immediately.

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i. Related by al-Bukhari, 1825, 2573, 2596; al-Tirmidhī, 849; al-Nasā’ī, 2818, 2819; Ibn Mājah, 3090.

ii. Related by al-Nasā’ī, 2822 and 2823.

iii. Related by al-Nasā’ī, 2821.
iv. Related by al-Bukhari, 1823, 2914, 5491, 5492; Abu Dāwūd, 1852; al-Tirmidhī, 847; al-Nasā’ī, 2815.
v. Related by al-Bukhari, 5491, 2914, 5407, 2570; al-Tirmidhī, 848.
vi. Related by al-Bukhari, 1821, 1822, 4149; al-Nasā’ī, 2824, 2825; Ibn Mājah, 3093.
vii. Related by al-Bukhari, 1824; al-Nasā’ī, 2826.
viii. Related by al-Bukhari, 2570, 2854, 6406, 5407; al-Nasā’ī, 4356.
ix. Related by al-Nasā’ī, 2816.

CHAPTER 9

WHICH ANIMALS ARE LAWFUL TO KILL FOR A PERSON IN *IḤRĀM*?

[2488–66]. (Dar al-Salam 2717) Ḥārūn ibn Saʿīd al-Aylī and Ahmad ibn ʻĪsā narrated: both said: Ibn Wahb reported; Makhramah ibn Bukayr reported to me: from his father; he said: I heard ʿUbaydullāh ibn Miqsam say: I heard al-Qāsim ibn Muhammad say; I heard ʿĀ'ishah, the Prophet's wife say: **'I heard God's Messenger (peace be upon him) say: "Four vicious ones may be killed in the Ḥil and the Ḥaram: the kite, the crow, the mouse and a biting dog". I said to al-Qāsim: "How about a snake?" He said: "It is to be killed in disgrace".'**

حَدَّثَنَا هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، وَأَحْمَدُ بْنُ عِيسَى، قَالا: أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي مَخْرَمَةُ بْنُ بُكَيْرٍ، عَنْ أَبِيهِ، قَالَ: سَمِعْتُ عُبَيْدَ اللهِ بْنَ مِقْسَمٍ يَقُولُ: سَمِعْتُ الْقَاسِمَ بْنَ مُحَمَّدٍ يَقُولُ: سَمِعْتُ عَائِشَةَ، زَوْجَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ تَقُولُ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «أَرْبَعٌ كُلُّهُنَّ فَاسِقٌ يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ: الْحِدَأَةُ وَالْغُرَابُ وَالْفَارَةُ وَالْكَلْبُ الْعَقُورُ». قَالَ فَقُلْتُ لِلْقَاسِمِ: أَفَرَأَيْتَ الْحَيَّةَ؟ قَالَ: تُقْتَلُ بِصُغْرٍ لَهَا.

[2489–67]. (Dar al-Salam 2718) Abu Bakr ibn Abi Shaybah narrated:[i] Ghundar narrated; from Shuʿbah [H]. Also, Ibn al-Muthannā and Ibn Bashshār narrated; both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; he said: I heard Qatādah narrating from Saʿīd ibn al-Musayyib; from ʿĀ'ishah; from the Prophet; that he said: **'Five vicious ones may be killed in the Ḥil and the Ḥaram: the snake, the crow with white patches, the mouse, the biting dog and the kite'.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، ح. وَحَدَّثَنَا ابْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، قَالَ سَمِعْتُ قَتَادَةَ يُحَدِّثُ عَنْ سَعِيدِ بْنِ الْـمُسَيَّبِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ: «خَمْسٌ فَوَاسِقُ يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ: الْحَيَّةُ وَالْغُرَابُ الأَبْقَعُ وَالْفَارَةُ وَالْكَلْبُ الْعَقُورُ وَالْحُدَيَّا».

[2490–68]. (Dar al-Salam 2719-2720) Abu al-Rabīʿ al-Zahrānī narrated:[ii] Ḥammād (who is Ibn Zayd) narrated; Hishām ibn ʿUrwah narrated; from his father; from ʿĀ'ishah; she said: God's Messenger (peace be upon him) said: **'Five are vicious and may be killed in the Ḥaram: the scorpion, the mouse, the kite, the crow and the biting dog'.**

حَدَّثَنَا أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، حَدَّثَنَا حَمَّادٌ (وَهُوَ ابْنُ زَيْدٍ)، حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ:

«خَمْسٌ فَوَاسِقُ يُقْتَلْنَ فِي الحَرَمِ: العَقْرَبُ وَالفَارَةُ وَالْحُدَيَّا وَالْغُرَابُ وَالْكَلْبُ الْعَقُورُ».

Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated: both said: Ibn Numayr narrated; Hishām narrated; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ قَالا: حَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا هِشَامٌ، بِهَذَا الإِسْنَادِ.

[2491–69]. (Dar al-Salam 2721) ʿUbaydullāh ibn ʿUmar al-Qawārīrī narrated:[iii] Yazīd ibn Zurayʿ narrated; Maʿmar narrated; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah. She said**: ‘God’s Messenger (peace be upon him) said: “Five are vicious and may be killed in the Ḥaram: the mouse, the scorpion, the crow, the kite and the biting dog”.’**

وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ الْقَوَارِيرِيُّ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «خَمْسٌ فَوَاسِقُ يُقْتَلْنَ فِي الْحَرَمِ: الْفَارَةُ وَالْعَقْرَبُ، وَالْغُرَابُ وَالْحُدَيَّا، وَالْكَلْبُ الْعَقُورُ».

[2492–70]. (Dar al-Salam 2722) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from al-Zuhrī; with the same chain of transmission. She [meaning ʿĀ’ishah] said: **‘God’s Messenger (peace be upon him) ordered the killing of five**

vicious ones whether in the Ḥil or the Ḥaram…’, adding the same as the hadith narrated by Yazīd ibn Zurayʿ.

وَحَدَّثَنَاهُ عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، بِهَذَا الإِسْنَادِ: قَالَتْ: أَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِقَتْلِ خَمْسٍ فَوَاسِقَ فِي الْحِلِّ وَالْحَرَمِ. ثُمَّ ذَكَرَ بِمِثْلِ حَدِيثِ يَزِيدَ بْنِ زُرَيْعٍ.

[2493–71]. (Dar al-Salam 2723) Abu al-Ṭāhir and Ḥarmalah narrated to me:[iv] both said: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from ʿUrwah ibn al-Zubayr; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) said: “Five animals, all of which are vicious and may be killed in the Ḥaram: the crow, the kite, the biting dog, the scorpion and the mouse”.’**

وَحَدَّثَنِي أَبُو الطَّاهِرِ، وَحَرْمَلَةُ، قَالاَ أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ، شِهَابٍ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «خَمْسٌ مِنَ الدَّوَابِّ، كُلُّهَا فَوَاسِقُ، تُقْتَلُ فِي الْحَرَمِ: الْغُرَابُ وَالْحِدَأَةُ، وَالْكَلْبُ الْعَقُورُ، وَالْعَقْرَبُ وَالْفَارَةُ.

[2494–72]. (Dar al-Salam 2724) Zuhayr ibn Ḥarb and Ibn Abi ʿUmar narrated to me:[v] both from Ibn ʿUyaynah; Zuhayr said: Sufyān ibn ʿUyaynah narrated; from al-Zuhrī; from Sālim; from his father; from the Prophet (peace be upon him). He said: **‘Five**

whose killer incurs no sin even in the Ḥaram and in *iḥrām*: the mouse, the scorpion, the crow, the kite and the biting dog’.

Ibn Abi ʿUmar said in his narration: **‘in sacred areas and in consecration’.**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ، قَالَ زُهَيْرٌ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، رَضِيَ اللهُ عَنْهُ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «خَمْسٌ لاَ جُنَاحَ عَلَى مَنْ قَتَلَهُنَّ فِي الْحَرَمِ وَالإِحْرَامِ: الْفَارَةُ وَالْعَقْرَبُ وَالْغُرَابُ وَالْحِدَأَةُ وَالْكَلْبُ الْعَقُورُ».

وَقَالَ ابْنُ أَبِي عُمَرَ فِي رِوَايَتِهِ: «فِي الْحُرُمِ وَالإِحْرَامِ».

[2495–73]. (Dar al-Salam 2725) Ḥarmalah ibn Yaḥyā narrated to me:[vi] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; Sālim ibn ʿAbdullāh reported to me; that ʿAbdullāh ibn ʿUmar said: Ḥafṣah, the Prophet’s wife, said: **‘God’s Messenger (peace be upon him) said: “Five animals are all vicious and whoever kills them incurs no sin: the scorpion, the crow, the kite, the mouse and the biting dog”.’**

حَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللهِ، أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: قَالَتْ حَفْصَةُ زَوْجُ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «خَمْسٌ مِنَ الدَّوَابِّ كُلُّهَا فَاسِقٌ، لاَ

حَرَجَ عَلى مَنْ قَتَلهُنَّ: العَقْرَبُ وَالغُرَابُ وَالحِدَاةُ وَالفَارَةُ وَالْكَلْبُ الْعَقُورُ».

[2496–74]. (Dar al-Salam 2726) Ahmad ibn Yūnus narrated:[vii] Zuhayr narrated; Zayd ibn Jubayr narrated; that a man asked Ibn ʿUmar: **‘Which animals may a person in consecration kill?’ He said: ‘One of the Prophet’s wives told me that he ordered, or was ordered, to kill the mouse, the scorpion, the kite, the biting dog and the crow’.**

حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ، حَدَّثَنَا زُهَيْرٌ، حَدَّثَنَا زَيْدُ بْنُ جُبَيْرٍ، أَنَّ رَجُلاً سَأَلَ ابْنَ عُمَرَ: مَا يَقْتُلُ الْـمُحْرِمُ مِنَ الدَّوَابِّ؟ فَقَالَ: أَخْبَرَتْنِي إِحْدَى نِسْوَةِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ أَمَرَ - أَوْ أُمِرَ - أَنْ تُقْتَلَ الْفَارَةُ وَالْعَقْرَبُ وَالْحِدَأَةُ وَالْكَلْبُ الْعَقُورُ وَالْغُرَابُ.

[2497–75]. (Dar al-Salam 2727) Shaybān ibn Farrūkh narrated: Abu ʿAwānah narrated; from Zayd ibn Jubayr. He said: **‘A man asked Ibn ʿUmar: “which animals can a person in a state of consecration kill?” He said: “One of the Prophet’s wives narrated to me that he used to order the killing of the biting dog, the mouse, the scorpion, the kite, the crow and the snake.” He said: “and even when in prayer”.’**

حَدَّثَنَا شَيْبَانُ بْنُ فَرُّوخَ، حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ زَيْدِ بْنِ جُبَيْرٍ، قَالَ سَأَلَ رَجُلٌ ابْنَ عُمَرَ: مَا يَقْتُلُ الرَّجُلُ مِنَ الدَّوَابِّ وَهُوَ مُحْرِمٌ؟ قَالَ: حَدَّثَتْنِي إِحْدَى نِسْوَةِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ كَانَ يَأْمُرُ بِقَتْلِ الْكَلْبِ الْعَقُورِ،

وَالفَارَةِ وَالعَقْرَبِ، وَالحُدَيّا وَالغُرَابِ وَالحَيّةِ. قَالَ: وَفِي الصَّلاَةِ أَيْضًا.

[2498–76]. (Dar al-Salam 2728) Yaḥyā ibn Yaḥyā narrated:[viii] he said: I read out to Mālik; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) said: “Five animals a *muḥrim* may kill without incurring any sin are: the crow, the kite, the scorpion, the mouse and the biting dog”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «خَمْسٌ مِنَ الدَّوَابِّ لَيْسَ عَلَى الْمُحْرِمِ فِي قَتْلِهِنَّ جُنَاحٌ: الْغُرَابُ وَالْحِدَأَةُ، وَالْعَقْرَبُ وَالْفَارَةُ وَالْكَلْبُ الْعَقُورُ».

[2499–77]. (Dar al-Salam 2729) Ḥārūn ibn ʿAbdullāh narrated:[ix] Muhammad ibn Bakr narrated; Ibn Jurayj narrated; he said: I said to Nāfiʿ: What did you hear Ibn ʿUmar say concerning which animals a person in *iḥrām* may kill? Nāfiʿ said to me: ʿAbdullāh said: **‘I heard the Prophet (peace be upon him) say**: **“Five animals, no sin is incurred by the one who kills them: the crow, the kite, the scorpion, the mouse and the biting dog”.’**

وَحَدَّثَنَا هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، حَدَّثَنَا ابْنُ جُرَيْجٍ، قَالَ: قُلْتُ لِنَافِعٍ: مَاذَا سَمِعْتَ ابْنَ عُمَرَ يُحِلُّ لِلْحَرَامِ قَتْلَهُ مِنَ الدَّوَابِّ؟ فَقَالَ لِي نَافِعٌ: قَالَ عَبْدُ اللهِ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «خَمْسٌ مِنَ

الدّوَابِّ لاَ جُنَاحَ عَلى مَنْ قَتَلَهُنَّ فِي قَتْلِهِنَّ: الغُرَابُ وَالْحِدَأَةُ، وَالْعَقْرَبُ وَالْفَارَةُ وَالْكَلْبُ الْعَقُورُ».

The same hadith is narrated by Qutaybah and Ibn Rumḥ; from al-Layth ibn Saʿd [H]. Also, Shaybān ibn Farrūkh narrated; Jarīr (meaning Ibn Ḥāzim) narrated; both from Nāfiʿ [H]. And Abu Bakr ibn Abi Shaybah narrated; ʿAlī ibn Mushir narrated [H]. Further, Ibn Numayr narrated; my father narrated; all from ʿUbaydullāh [H]. Also, Abu Kāmil narrated to me; Ḥammād narrated; Ayyūb narrated [H]. And Ibn al-Muthannā narrated; Yazīd ibn Ḥārūn narrated; Yaḥyā ibn Saʿīd reported; all of these from Nāfiʿ; from Ibn ʿUmar; from the Prophet (peace be upon him): **the same text.**

None of them except Ibn Jurayj alone said: **‘from Nāfiʿ, from Ibn ʿUmar, I heard the Prophet (peace be upon him)’**.

Ibn Isḥāq followed Ibn Jurayj in this respect.

وَحَدَّثَنَاهُ قُتَيْبَةُ، وَابْنُ رُمْحٍ عَنِ اللَّيْثِ بْنِ سَعْدٍ، ح. وَحَدَّثَنَا شَيْبَانُ بْنُ فَرُّوخَ، حَدَّثَنَا جَرِيرٌ (يَعْنِي ابْنَ حَازِمٍ) جَمِيعًا عَنْ نَافِعٍ، ح. وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَلِيُّ، بْنُ مُسْهِرٍ ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، جَمِيعًا عَنْ عُبَيْدِ اللَّهِ، ح. وَحَدَّثَنِي أَبُو كَامِلٍ، حَدَّثَنَا حَمَّادٌ، حَدَّثَنَا أَيُّوبُ، ح. وَحَدَّثَنَا ابْنُ الْـمُثَنَّى، حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، أَخْبَرَنَا يَحْيَى بْنُ سَعِيدٍ، كُلُّ هَؤُلاَءِ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: بِمِثْلِ حَدِيثِ مَالِكٍ وَابْنِ جُرَيْجٍ.

وَلَمْ يَقُلْ أَحَدٌ مِنْهُمْ عَنْ نَافِعٍ عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. إِلاَّ ابْنُ

جُرَيْجٍ وَحْدَهُ.

وَقَدْ تَابَعَ ابْنَ جُرَيْجٍ عَلَى ذَلِكَ ابْنُ إِسْحَاقَ.

[2500–78]. (Dar al-Salam 2730) Faḍl ibn Sahl narrated the same hadith to me: Yazīd ibn Ḥārūn narrated; Muhammad ibn Isḥāq reported; from Nāfiʿ and ʿUbaydullāh ibn ʿAbdullāh; from Ibn ʿUmar. He said: **‘I heard the Prophet say: “Five, the killing of any of them in the Ḥaram incurs no sin…” adding the same.**

وَحَدَّثَنِيهِ فَضْلُ بْنُ سَهْلٍ، حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ نَافِعٍ، وَعُبَيْدِ اللهِ بْنِ عَبْدِ اللهِ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: سَمِعْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «خَمْسٌ لاَ جُنَاحَ فِي قَتْلِ مَا قُتِلَ مِنْهُنَّ فِي الْحَرَمِ». فَذَكَرَ بِمِثْلِهِ.

[2501–79]. (Dar al-Salam 2731) Yaḥyā ibn Yaḥyā, Yaḥyā ibn Ayyūb, Qutaybah and Ibn Ḥujr narrated: Ismāʿīl ibn Jaʿfar (Yaḥyā ibn Yaḥyā said: ‘reported’ and the others said: ‘narrated’); from ʿAbdullāh ibn Dīnār; that he heard ʿAbdullāh ibn ʿUmar say: **‘God’s Messenger (peace be upon him) said: “Five ones, whoever kills them when in a state of consecration incurs no sin for so doing: the scorpion, the mouse, the biting dog, the crow and the kite’.** (This is Yaḥyā ibn Yaḥyā’s text.)

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَيَحْيَى بْنُ أَيُّوبَ، وَقُتَيْبَةُ، وَابْنُ حُجْرٍ. (قَالَ يَحْيَى بْنُ يَحْيَى أَخْبَرَنَا وَقَالَ الآخَرُونَ حَدَّثَنَا) إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ عَبْدِ اللهِ بْنِ دِينَارٍ، أَنَّهُ سَمِعَ عَبْدَ

اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ قَالَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «خَمْسٌ مَنْ قَتَلَهُنَّ وَهُوَ حَرَامٌ فَلاَ جُنَاحَ عَلَيْهِ فِيهِنَّ: الْعَقْرَبُ وَالْفَارَةُ، وَالْكَلْبُ الْعَقُورُ، وَالْغُرَابُ وَالْحُدَيَّا». (وَاللَّفْظُ لِيَحْيَى بْنِ يَحْيَى).

Text Explanation

In the second hadith, No. 2489, the Prophet says: ‘Five vicious ones may be killed in the Ḥil and the Ḥaram: the snake, the crow with white patches, the mouse, the biting dog and the kite’. In other versions, the scorpion replaces the snake, and in the first one, only four are mentioned which include neither the snake nor the scorpion. Thus, in total, the hadiths mention six animals which are agreed by the great majority of scholars to be lawful to kill whether they happen to be in the Ḥaram area, which is Makkah with a well-defined area around it, or elsewhere, and even by a person in a state of consecration, or *iḥrām*. Scholars also agree that it is permissible for a person in consecration to kill what is of the same nature.

However, scholars hold different views on the reason for permit-ting their killing and what else may be considered in the same way. Al-Shāfiʿī said: ‘The reason for permitting their killing is that they are not eaten. Therefore, whatever is not eaten and is not born to an animal that is used as food may be killed by anyone, including a person in a state of consecration, without having to make any reparations’. Mālik considers that they are lawful to kill because they are harmful. Hence, it is permissible for a person in a state of consecration to kill whatever is harmful, but not what is harmless. Scholars also differ as to the meaning of the ‘biting dog’. Some say that it refers to real dogs. Others say that it refers to all animals of prey, as this was a well-known usage of the term in Arabic.

These animals are described in the hadiths as ‘vicious’, but the Arabic description uses the word *fāsiq*, which refers to people who are ‘transgressors’. The usage is correct because, linguistically speaking, *fāsiq* means the one who moves away from the right course. In its religious sense, the word refers to a person who departs from the path of obeying God. The same term is used to refer to these animals because, being harmful, they depart from the way of most animals. It is also said that they are removed from the ruling that prohibits killing animals in the Ḥaram and by people in consecration. There are other views, but these have no solid foundation.

The crow in the hadiths refers to the type which has white patches on its front and back. Al-Sājī reports that al-Nakhaʿī said that it is not permissible

for a person in consecration to kill a mouse. Others attribute to ʿAlī and Mujāhid the view that a crow should only be scared away, not killed, but its attribution to ʿAlī is incorrect.

Killing a ‘biting dog’ is permissible for everyone, including a person in consecration, in the Ḥaram area or elsewhere. This is agreed upon by all scholars, but they differ as to what the description refers to. Some hold that it refers in particular to the ordinary dog. *Qadi* ʿIyāḍ attributes this to al-Awzāʿī, Abu Ḥanīfah and al-Ḥasan ibn Ṣāliḥ. They also include the wolf under the same heading. Zufar, a leading Ḥanafī scholar, considers that the term as used in the hadith refers only to wolves. The majority of scholars, however, say that the ‘biting dog’ does not refer to dogs in particular but to all types of predator, such as a lion, tiger, wolf, leopard, etc. This is the view of Zayd ibn Aslam, Sufyān al-Thawrī, Ibn ʿUyaynah, al-Shāfiʿī, Ahmad and others. *Qadi* ʿIyāḍ attributes it to these and the majority of scholars.

These hadiths provide evidence in support of the view of al-Shāfiʿī and other scholars that in the Ḥaram it is permissible to execute anyone who has incurred the death penalty, whether for murder or another offence that carries such weight. They say that it is permissible to carry out in the Ḥaram area any mandatory punishment, whether this is the death penalty or some other punishment, and whether the crime that has incurred it took place in the Ḥaram, or somewhere else and the offender then sought protection in the Ḥaram area. This is the view of al-Shāfiʿī, Mālik and others. Abu Ḥanīfah and other scholars hold that if the offence had been committed in the Ḥaram, its punishment may be enforced in the Ḥaram, but if it was committed outside the Ḥaram area and the offender subsequently sought refuge in the Ḥaram, the punishment may be enforced in the Ḥaram if it is less than the death penalty. If it is the death penalty, it must be enforced outside the Ḥaram area. In this case, the offender is restricted. No one may speak to him, sit with him or sell him anything so that he finds it necessary to leave the Ḥaram area. A similar view is also reported to be expressed by Ibn ʿAbbās, ʿAṭā’, al-Shaʿbī, al-Ḥakam, but they did not differentiate between the death penalty and other punishments. The basis of their view is the apparent meaning of the Qur’anic statement: ‘Whoever enters it finds peace’. (3: 97) Our counter argument is based on these hadiths because such an offender is a *fāsiq* like these animals. Indeed, he is more of a *fāsiq*

because he is under obligation to abide by the Divine law. Moreover, the restriction they suggest works against the security he is supposed to have. Hence, they contradict the apparent meaning of the verse which they suggest. *Qadi* ʿIyāḍ said: 'To us, and the majority of Qur'anic commentators, the verse tells of the condition that prevailed prior to Islam'. It is also said that the verse means that 'he is in peace from the Fire'. Other scholars hold that such an offender is taken out of the Ḥaram so that the punishment can be enforced. This is the view of Ibn al-Zubayr, al-Ḥasan, Mujāhid and Ḥammād, but God knows best.

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i. Related by al-Nasā'ī, 2829, 2882; Ibn Mājah, 3087.
ii. Related by al-Nasā'ī, 2891.
iii. Related by al-Bukhari, 3314; al-Tirmidhī, 837; al-Nasā'ī, 2890.
iv. Related by al-Bukhari, 1829; al-Nasā'ī, 2888.
v. Related by Abu Dāwūd, 1846; al-Nasā'ī, 2835.
vi. Related by al-Bukhari, 1828; al-Nasā'ī, 2889.
vii. Related by al-Bukhari, 1827.
viii. Related by al-Bukhari, 1826; al-Nasā'ī, 2828.
ix. Related by al-Nasā'ī, 2830, 2833, 2834; Ibn Mājah, 3088 [but each uses one or the other of the chains of transmission].

CHAPTER 10

WHEN MAY A *MUḤRIM* SHAVE HIS HEAD AND WHAT DOES IT ENTAIL?

[2502–80]. (Dar al-Salam 2732) ʿUbaydullāh ibn ʿUmar al-Qawārīrī narrated to me:[i] Ḥammād (meaning Ibn Zayd) narrated; from Ayyūb [H]. Also, Abu al-Rabīʿ narrated to me; Ḥammād narrated; Ayyūb narrated; he said: I heard Mujāhid narrating from ʿAbd al-Raḥmān ibn Abi Laylā; from Kaʿb ibn ʿUjrah. He said: **‘God’s Messenger (peace be upon him) passed by me during the al-Ḥudaybiyah Expedition when I was lighting a fire under a saucepan, and lice was over my face. He asked: “Are these insects at your head harming you?” I said: “Yes”. He said: “Then shave [your head] and fast three days, or feed six poor people, or sacrifice a sheep”.’**

Ayyūb said: **‘I am not sure which of these he said first’**.

وَحَدَّثَنِي عُبَيْدُ اللهِ بْنُ عُمَرَ الْقَوَارِيرِيُّ، حَدَّثَنَا حَمَّادٌ (يَعْنِي ابْنَ زَيْدٍ)، عَنْ أَيُّوبَ، ح. وَحَدَّثَنِي أَبُو الرَّبِيعِ، حَدَّثَنَا حَمَّادٌ، حَدَّثَنَا أَيُّوبُ، قَالَ: سَمِعْتُ مُجَاهِدًا يُحَدِّثُ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنْ كَعْبِ بْنِ عُجْرَةَ، رَضِيَ اللهُ عَنْهُ، قَالَ أَتَى عَلَيَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ زَمَنَ الْحُدَيْبِيَةِ، وَأَنَا أُوقِدُ تَحْتَ (قَالَ الْقَوَارِيرِيُّ قِدْرٍ لِي. وَقَالَ أَبُو الرَّبِيعِ بُرْمَةٍ لِي)، وَالْقَمْلُ يَتَنَاثَرُ عَلَى وَجْهِي.

فَقَالَ: «ايُؤْذِيكَ هَوَامُّ رَاسِكَ»؟ قَالَ قَلتُ: نَعَمْ. قَالَ: «فَاحْلِقْ وَصُمْ ثَلاَثَةَ أَيَّامٍ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ، أَوِ انْسُكْ نَسِيكَةً».

قَالَ أَيُّوبُ: فَلاَ أَدْرِي بِأَىِّ ذَلِكَ بَدَأَ.

[000–000]. (Dar al-Salam 2733) ʿAlī ibn Ḥujr al-Saʿdī, Zuhayr ibn Ḥarb and Yaʿqūb ibn Ibrāhīm narrated to me: all from Ibn ʿUlayyah; from Ayyūb; with the same chain of transmission: **the same text.**

حَدَّثَنِي عَلِيُّ بْنُ حُجْرٍ السَّعْدِيُّ، وَزُهَيْرُ بْنُ حَرْبٍ، وَيَعْقُوبُ بْنُ إِبْرَاهِيمَ، جَمِيعًا عَنِ ابْنِ عُلَيَّةَ، عَنْ أَيُّوبَ، فِي هَذَا الإِسْنَادِ: بِمِثْلِهِ.

[2503–81]. (Dar al-Salam 2734) Muhammad ibn al-Muthannā narrated: Ibn Abi ʿAdiy; from Ibn ʿAwn; from Mujāhid; from ʿAbd al-Raḥmān ibn Abi Laylā; from Kaʿb ibn ʿUjrah. He said: **‘It was about my case that [the ruling in] this verse was revealed: “If any of you is ill or suffers from an ailment of the head, he shall redeem himself by fasting, or alms, or sacrifice” (2: 196)’. He said: ‘I went to him, and he said: “Come closer”. When I did, he said: “Are you hurt by these insects?”’**

Ibn ʿAwn said: **‘I think he said “Yes”.’ He added: ‘He commanded me to give an expiation in the form of fasting, or charity or sacrifice, whatever is available’.**

وَحَدّثَنَا مُحَمَّدُ بْنُ الـمُثَنّى، حَدّثَنَا ابْنُ ابِي عَدِيٍّ، عَنِ ابْنِ عَوْنٍ، عَنْ مُجَاهِدٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنْ كَعْبِ بْنِ عُجْرَةَ، رَضِيَ اللهُ عَنْهُ، قَالَ: فِيَّ أُنْزِلَتْ هَذِهِ الآيَةُ: «فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى مِنْ رَأْسِهِ فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ». قَالَ: فَأَتَيْتُهُ فَقَالَ: «ادْنُهْ». فَدَنَوْتُ فَقَالَ: «ادْنُهْ». فَدَنَوْتُ. فَقَالَ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «أَيُؤْذِيكَ هَوَامُّكَ»؟ قَالَ ابْنُ عَوْنٍ: وَأَظُنُّهُ قَالَ: نَعَمْ. قَالَ: فَأَمَرَنِي بِفِدْيَةٍ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ، مَا تَيَسَّرَ.

[2504–82]. (Dar al-Salam 2735) Ibn Numayr narrated: my father narrated; Sayf narrated; he said: I heard Mujāhid say: ʿAbd al-Raḥmān ibn Abi Laylā narrated to me; Kaʿb ibn ʿUjrah narrated to me; that **‘God’s Messenger stopped by him as his head was heavily infested with lice. He said: “Are you hurt by these insects?” I said: “Yes”. He said: “Then shave your head”. It was concerning me that [the ruling in] this verse was revealed: “If any of you is ill or suffers from an ailment of the head, he shall redeem himself by fasting, or alms, or sacrifice” (2: 196). God’s Messenger (peace be upon him) said to me: “Fast three days, or give in charity one *faraq* to six poor people, or sacrifice what is available”.’**

وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا سَيْفٌ، قَالَ سَمِعْتُ مُجَاهِدًا يَقُولُ: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ أَبِي لَيْلَى حَدَّثَنِي كَعْبُ بْنُ عُجْرَةَ، رَضِىَ اللهُ عَنْهُ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَقَفَ عَلَيْهِ وَرَأْسُهُ يَتَهَافَتُ قَمْلاً، فَقَالَ: «أَيُؤْذِيكَ هَوَامُّكَ»؟ قُلْتُ نَعَمْ. قَالَ: «فَاحْلِقْ رَأْسَكَ».

قَالَ: فَفِيَّ نَزَلَتْ هَذِهِ الآيَةُ: «فَمَنْ كَانَ مِنْكُمْ مَرِيضًا اوْ بِهِ أَذًى مِنْ رَأْسِهِ فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ» فَقَالَ لِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «صُمْ ثَلاَثَةَ أَيَّامٍ أَوْ تَصَدَّقْ بِفَرَقٍ بَيْنَ سِتَّةِ مَسَاكِينَ أَوِ انْسُكْ، مَا تَيَسَّرَ».

[2505–83]. (Dar al-Salam 2736) Muhammad ibn Abi ʿUmar narrated: Sufyān narrated; from Ibn Abi Najīḥ, Ayyūb, Ḥumayd and ʿAbd al-Karīm; from Mujāhid; from Ibn Abi Laylā; from Kaʿb ibn ʿUjrah that **‘The Prophet passed by him at al-Ḥudaybiyah before entering Makkah, as he was in consecration and lighting a fire under a saucepan with lice over his face. He said: “Are you hurt by these insects?” He said: “Yes”. The Prophet said: “Then shave your head, and feed six poor people with a *faraq*, (a *faraq* is equal to three *ṣāʿs*), or fast three days, or slaughter an animal”.’**

Ibn Abi Najīḥ said: **‘Or sacrifice a sheep’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، عَنِ ابْنِ أَبِي نَجِيحٍ، وَأَيُّوبَ، وَحُمَيْدٍ، وَعَبْدِ الْكَرِيمِ، عَنْ مُجَاهِدٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ كَعْبِ بْنِ عُجْرَةَ، رَضِيَ اللهُ عَنْهُ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَرَّ بِهِ وَهُوَ بِالْحُدَيْبِيَةِ، قَبْلَ أَنْ يَدْخُلَ مَكَّةَ، وَهُوَ مُحْرِمٌ، وَهُوَ يُوقِدُ تَحْتَ قِدْرٍ، وَالْقَمْلُ يَتَهَافَتُ عَلَى وَجْهِهِ، فَقَالَ: «أَيُؤْذِيكَ هَوَامُّكَ هَذِهِ»؟ قَالَ: نَعَمْ. قَالَ: «فَاحْلِقْ رَأْسَكَ، وَأَطْعِمْ فَرَقًا بَيْنَ سِتَّةِ مَسَاكِينَ - وَالْفَرَقُ ثَلاَثَةُ آصُعٍ - أَوْ صُمْ ثَلاَثَةَ أَيَّامٍ، أَوِ انْسُكْ نَسِيكَةً».

قَالَ ابْنُ ابِي نَجِيحٍ: «اوِ اذْبَحْ شَاةً».

[2506–84]. (Dar al-Salam 2737) Yaḥyā ibn Yaḥyā narrated: Khālid ibn ʿAbdullāh reported; from Khālid; from Abu Qilābah; from ʿAbd al-Raḥmān ibn Abi Laylā; from Kaʿb ibn ʿUjrah; that **‘God’s Messenger passed by him at the time of al-Ḥudaybiyah. He said: “Are you hurt by these insects on your head?” He said: “Yes”. The Prophet said to him: “Then shave your head, then slaughter a sheep in sacrifice, or fast three days, or give three *ṣāʿs* of dates to feed six poor people”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا خَالِدُ بْنُ عَبْدِ اللهِ، عَنْ خَالِدٍ، عَنْ أَبِي قِلاَبَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنْ كَعْبِ بْنِ عُجْرَةَ، رَضِيَ اللهُ عَنْهُ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَرَّ بِهِ زَمَنَ الْحُدَيْبِيَةِ، فَقَالَ لَهُ: «آذَاكَ هَوَامُّ رَأْسِكَ»؟ قَالَ: نَعَمْ. فَقَالَ لَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «احْلِقْ رَأْسَكَ، ثُمَّ اذْبَحْ شَاةً نُسُكًا، أَوْ صُمْ ثَلاَثَةَ أَيَّامٍ، أَوْ أَطْعِمْ ثَلاَثَةَ آصُعٍ مِنْ تَمْرٍ عَلَى سِتَّةِ مَسَاكِينَ».

[2507–85]. (Dar al-Salam 2738) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[ii] Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from ʿAbd al-Raḥmān ibn al-Aṣbahānī; from ʿAbdullāh ibn Maʿqil. He said: **‘I sat with Kaʿb as he was in the mosque, and I asked him about this Qur’anic verse that says: “He shall redeem himself by fasting, or alms, or sacrifice”. He said: ‘It was concerning me that it was revealed. I had an ailment on my head. I was taken to God’s Messenger and the lice were all over my face. He said: “I never thought that your problem was so severe. Do you have a sheep [to**

sacrifice]?” I said: “No”. Then this verse was revealed saying a redemption in the form of fasting, or charity, or sacrifice. He said: “Fasting three days or feeding six poor people half a *ṣāʿ* in food for each”. It was revealed about my case in particular but it is applicable to you all’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ، قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الأَصْبَهَانِيِّ، عَنْ عَبْدِ اللهِ بْنِ مَعْقِلٍ، قَالَ قَعَدْتُ إِلَى كَعْبٍ، رَضِيَ اللهُ عَنْهُ، وَهُوَ فِي الْـمَسْجِدِ، فَسَأَلْتُهُ عَنْ هَذِهِ الآيَةِ: «فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ»، فَقَالَ كَعْبٌ رَضِىَ اللهُ عَنْهُ: نَزَلَتْ فِيَّ. كَانَ بِي أَذًى مِنْ رَأْسِي، فَحُمِلْتُ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَالْقَمْلُ يَتَنَاثَرُ عَلَى وَجْهِي فَقَالَ: «مَا كُنْتُ أُرَى أَنَّ الْجَهْدَ بَلَغَ مِنْكَ مَا أَرَى. أَتَجِدُ شَاةً؟». فَقُلْتُ لا: فَنَزَلَتْ هَذِهِ الآيَةُ «فَفِدْيَةٌ مِنْ صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ». قَالَ: صَوْمُ ثَلاَثَةِ أَيَّامٍ، أَوْ إِطْعَامُ سِتَّةِ مَسَاكِينَ، نِصْفَ صَاعٍ طَعَامًا لِكُلِّ مِسْكِينٍ. قَالَ: فَنَزَلَتْ فِيَّ خَاصَّةً وَهْىَ لَكُمْ عَامَّةً.

[2508–86]. (Dar al-Salam 2739) Abu Bakr ibn Abi Shaybah narrated: ʿAbdullāh ibn Numayr narrated; from Zakariyyā’ ibn Abi Zā’idah; ʿAbd al-Raḥmān ibn al-Aṣbahānī narrated; ʿAbdullāh ibn Maʿqil narrated to me: Kaʿb ibn ʿUjrah narrated to me; that **‘He set out with the Prophet (peace be upon him) in the state of consecration. His head and beard became infested with lice. This was reported to the Prophet, and he called him. He called a barber, and he shaved his head. He then asked him: “Can you afford a sacrifice”? He said: “I cannot”. He told him to fast**

three days or feed six poor people, one *ṣāʿ* for each two. God, Mighty and Exalted, revealed concerning his case in particular: “If any of you is ill or suffers from an ailment of the head” (2: 196). It was then applicable to all Muslims’.

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، عَنْ زَكَرِيَّاءَ بْنِ أَبِي زَائِدَةَ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ الأَصْبَهَانِيِّ، حَدَّثَنِي عَبْدُ اللهِ بْنُ مَعْقِلٍ، حَدَّثَنِي كَعْبُ بْنُ عُجْرَةَ، رَضِيَ اللهُ عَنْهُ، أَنَّهُ خَرَجَ مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُحْرِمًا، فَقَمِلَ رَأْسُهُ وَلِحْيَتُهُ. فَبَلَغَ ذَلِكَ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَرْسَلَ إِلَيْهِ. فَدَعَا الْحَلاَّقَ فَحَلَقَ رَأْسَهُ، ثُمَّ قَالَ لَهُ: «هَلْ عِنْدَكَ نُسُكٌ»؟ قَالَ: مَا أَقْدِرُ عَلَيْهِ. فَأَمَرَهُ أَنْ يَصُومَ ثَلاَثَةَ أَيَّامٍ، أَوْ يُطْعِمَ سِتَّةَ مَسَاكِينَ، لِكُلِّ مِسْكِينَيْنِ صَاعٌ. فَأَنْزَلَ اللهُ عَزَّ وَجَلَّ فِيهِ خَاصَّةً: «فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أَذًى مِنْ رَأْسِهِ»، ثُمَّ كَانَتْ لِلْـمُسْلِمِينَ عَامَّةً.

Text Explanation

In the first hadith, No. 2502 the Prophet said to Kaʿb: ‘Shave your head and fast three days or feed six poor people or slaughter a sacrifice’. In the third, No. 2503 Kaʿb said that the Prophet ordered him ‘to give an expiation in the form of fasting, or charity or sacrifice, whatever is available’. In the other hadiths, the Prophet mentions certain measures of food to give to six poor people, and these measures are one *faraq* or three *ṣāʿs*. These are the same because a *faraq* is equal to three *ṣāʿs*, and a *ṣāʿ* is a measure of volume equal to four times the fill of the cupped hands of an average person.

All the hadiths in this chapter give the same meaning, which shows that if a person in a state of consecration needs to shave his head because of some ailment or hurt affecting his head, he may shave but must atone for the violation of the restrictions of *iḥrām*. God says: ‘If any of you is ill or suffers from an ailment of the head, he shall redeem himself by fasting, or alms, or sacrifice’. (2: 196) The Prophet made clear that the fasting is for three days, and the charity goes to six poor people, each having half a *ṣāʿ* of food, and the sacrifice is a sheep that meets the normal conditions of sacrifice. The Qur’anic verse and the hadiths confirm that such a person may choose any of the three types of expiation. This is agreed upon by scholars.

In hadith No. 2508 the Prophet asks Kaʿb: ‘Can you afford a sacrifice? He said: “I cannot”. He told him to fast three days or feed six poor people’. This does not mean that fasting may not be offered as expiation except by one who cannot afford a sacrifice. It is rather understood to mean that the Prophet asked about the sacrifice. If Kaʿb told him that he had the means to give a sacrifice, the Prophet would have told him that his choice was between offering the sacrifice, fasting or feeding six poor people. If he could not afford it, the choice would be between fasting and feeding.

Scholars also agree that this hadith is taken as it apparently means. However, it is mentioned that Abu Ḥanīfah and al-Thawrī said that a half of one *ṣāʿ* for each of the six poor people applies to wheat, while if the food is dates or barley or something else, the amount is one *ṣāʿ* for each of the six needy people. This is contrary to what the Prophet said in hadith No. 2506:

‘three *ṣāʿs* of dates to feed six poor people’. This means that the three *ṣāʿs* are given to the six people equally, equating to half a *ṣāʿ* each.

The Prophet mentions the sacrifice, and that it should be a sheep. The condition that must be fulfilled is that it is of an age that makes it appropriate to offer as a sacrifice on Eid al-Aḍḥā.

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i. Related by al-Bukhari, 1814, 1815, 1817, 1818, 4159, 4190, 4191, 5703 and in shorter versions 5665 and 6708; Abu Dāwūd, 1856, 1857, 1858, 1859, 1860, 1861; al-Tirmidhī, 953, 2973, 2974; al-Nasā’ī, 2851.

ii. Related by al-Bukhari, 1816, 4517; al-Tirmidhī, 2973; Ibn Mājah, 3079.

CHAPTER 11

CUPPING DURING CONSECRATION

[2509–87]. (Dar al-Salam 2740) Abu Bakr ibn Abi Shaybah, Zuhayr ibn Ḥarb and Isḥāq ibn Ibrāhīm narrated:[i] Sufyān ibn ʿUyaynah (Isḥāq said: ‘reported’ and the other two said: ‘narrated’); from ʿAmr; from Ṭāwūs and ʿAṭā’; from Ibn ʿAbbās; that **‘The Prophet (peace be upon him) used cupping when he was in *iḥrām*’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، (قَالَ إِسْحَاقُ أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ طَاوُسٍ، وَعَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ وَهُوَ مُحْرِمٌ.

[2510–88]. (Dar al-Salam 2741) Abu Bakr ibn Abi Shaybah narrated:[ii] al-Muʿallā ibn Manṣūr narrated; Sulaymān ibn Bilāl narrated; from ʿAlqamah ibn Abi ʿAlqamah; from ʿAbd al-Raḥmān al-Aʿraj; from Ibn Buḥaynah; that **‘The Prophet used cupping to the middle of his head, when he was in *iḥrām* on the road to Makkah’.**

وَحَدّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، حَدّثَنَا الـمُعَلى بْنُ مَنْصُورٍ، حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ عَلْقَمَةَ بْنِ أَبِي عَلْقَمَةَ، عَنْ عَبْدِ الرَّحْمَنِ الأَعْرَجِ، عَنِ ابْنِ بُحَيْنَةَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ احْتَجَمَ بِطَرِيقِ مَكَّةَ وَهُوَ مُحْرِمٌ، وَسَطَ رَأْسِهِ.

Text Explanation

This hadith makes it clear that a person in the state of *iḥrām*, or consecration, may use cupping as a form of medication. Scholars are unanimous that it is permissible whether used on one's head or elsewhere, if there is a reason for such use, even if it results in the person cutting some of his hair. However, he needs to atone for such cutting. If no hair is cut as a result of cupping, then no atonement is due. The evidence in support of this view is the Qur'anic verse that says: 'If any of you is ill or suffers from an ailment of the head, he shall redeem himself by fasting, or alms, or sacrifice'. (2: 196) These two hadiths are understood to indicate that the Prophet had a valid reason for using cupping to the middle of his head because it necessarily resulted in cutting some of his hair.

If a person in *iḥrām* wants to use cupping but has no need for it, then it is forbidden if it causes cutting some of his hair because cutting hair during consecration is forbidden. If it does not involve cutting hair, as is the case when it is done on a hairless part of the body, it is permissible according to our Shāfiʿī School and the majority of scholars. No compensation or atonement is due in this case. Ibn ʿUmar and Mālik say that it is discouraged, while al-Ḥasan al-Baṣrī said that it incurs compensation. In support of our view, we say that bleeding is not forbidden during *iḥrām*.

This hadith confirms a rule of *iḥrām* which says that shaving one's head, wearing ordinary clothes, hunting and killing game and other restrictions become permissible in a case of necessity but an atonement becomes due. This applies to any person who needs to shave or wear ordinary clothing because of illness, or is suffering from heat or cold, or needs to kill a game animal etc., but God knows best.

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i. Related by al-Bukhari, 1835 and 5695; Abu Dāwūd, 1832; al-Tirmidhī, 839; al-Nasā'ī, 2845, 2846, 2847.

ii. Related by al-Bukhari, 1836, 5698; al-Nasā'ī, 2850; Ibn Mājah, 3481.

CHAPTER 12

TREATING ONE'S EYES DURING CONSECRATION

[2511–89]. (Dar al-Salam 2742) Abu Bakr ibn Abi Shaybah, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated:[i] all from Ibn ʿUyaynah; Abu Bakr said: Sufyān ibn ʿUyaynah narrated; Ayyūb ibn Mūsā narrated; from Nubayh ibn Wahb. He said: **'We set out with Abān ibn ʿUthmān. When we were at Malal, ʿUmar ibn ʿUbaydullāh complained about his eyes. When we reached al-Rawḥā', his pain increased in severity. He sent a message to Abān ibn ʿUthmān asking [what to do]. Abān responded that he should apply aloe and cover them, adding that ʿUthmān quoted God's Messenger (peace be upon him) referring to the case of a person feeling his eyes hurting when in consecration: "he should cover them using aloe".'**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَمْرٌو النَّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ أَبُو بَكْرٍ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا أَيُّوبُ بْنُ مُوسَى، عَنْ نُبَيْهِ بْنِ وَهْبٍ، قَالَ خَرَجْنَا مَعَ أَبَانِ بْنِ عُثْمَانَ، حَتَّى إِذَا كُنَّا بِمَلَلٍ اشْتَكَى عُمَرُ بْنُ عُبَيْدِ اللهِ عَيْنَيْهِ، فَلَمَّا كُنَّا بِالرَّوْحَاءِ اشْتَدَّ وَجَعُهُ، فَأَرْسَلَ إِلَى أَبَانَ بْنِ عُثْمَانَ يَسْأَلُهُ، فَأَرْسَلَ إِلَيْهِ أَنِ اضْمِدْهُمَا بِالصَّبِرِ، فَإِنَّ عُثْمَانَ، رَضِيَ اللهُ عَنْهُ، حَدَّثَ

عَنْ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ فِي الرَّجُلِ إِذَا اشْتَكَى عَيْنَيْهِ وَهُوَ مُحْرِمٌ ضَمَّدَهُمَا بِالصَّبِرِ.

[2512–90]. (Dar al-Salam 2743) Isḥāq ibn Ibrāhīm al-Ḥanẓalī narrated: ʿAbd al-Ṣamad ibn ʿAbd al-Wārith; my father narrated to me; Ayyūb ibn Mūsā narrated; Nubayh ibn Wahb narrated to me; that **‘ʿUmar ibn ʿUbaydullāh ibn Maʿmar complained of eye inflammation, and he wanted to apply kohl, but Abān ibn ʿUthmān told him not to do so, telling him to apply aloe and cover it. He narrated from ʿUthmān ibn ʿAffān, from the Prophet (peace be upon him) that he did this’.**

وَحَدَّثَنَاهُ إِسْحَاقُ بْنُ إِبْرَاهِيمَ الْحَنْظَلِيُّ، حَدَّثَنَا عَبْدُ الصَّمَدِ بْنُ عَبْدِ الْوَارِثِ، حَدَّثَنِي أَبِي، حَدَّثَنَا أَيُّوبُ بْنُ مُوسَى، حَدَّثَنِي نُبَيْهُ بْنُ وَهْبٍ، أَنَّ عُمَرَ بْنَ عُبَيْدِ اللهِ بْنِ مَعْمَرٍ رَمِدَتْ عَيْنُهُ، فَأَرَادَ أَنْ يَكْحُلَهَا، فَنَهَاهُ أَبَانُ بْنُ عُثْمَانَ، وَأَمَرَهُ أَنْ يُضَمِّدَهَا بِالصَّبِرِ وَحَدَّثَ عَنْ عُثْمَانَ بْنِ عَفَّانَ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ فَعَلَ ذَلِكَ.

Text Explanation

Scholars agree in light of this hadith that it is permissible to apply medication to one's eyes, such as aloe [or eye drops], provided that it is not something that is otherwise used as perfume. No compensation is required. If a person in consecration needs to use some perfume containing medication, this requires compensation. Scholars also agree that a person in *iḥrām* may use kohl that contains no perfume. There is no compensation required if there is need for such use. Using kohl as makeup during consecration is reprehensible according to al-Shāfiʿī and other scholars, but a number of scholars including Ahmad and Isḥāq say it is prohibited. In the Mālikī School, both views are expressed. Their scholars also differ as to whether compensation is required, but God knows best.

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i. Related by Abu Dāwūd, 1835, 1836; al-Tirmidhī, 952; al-Nasā'ī, 2710.

CHAPTER 13

WASHING ONE'S BODY AND HEAD DURING CONSECRATION

[2513–91]. (Dar al-Salam 2744) Abu Bakr ibn Abi Shaybah, ʿAmr al-Nāqid, Zuhayr ibn Ḥarb and Qutaybah ibn Saʿīd narrated:[i] they said: Sufyān ibn ʿUyaynah narrated; from Zayd ibn Aslam [H]. Also, Qutaybah ibn Saʿīd narrated, and this is his text from Mālik ibn Anas as it was read out to him; from Zayd ibn Aslam; from Ibrāhīm ibn ʿAbdullāh ibn Ḥunayn; from his father; from ʿAbdullāh ibn ʿAbbās and al-Miswar ibn Makhramah; that **'The two differed at al-Abwā'. ʿAbdullāh ibn ʿAbbās said that a person in *iḥrām* may wash his head while al-Miswar said that a person in *iḥrām* may not wash his head. Ibn ʿAbbās sent me to Abu Ayyūb al-Anṣārī to ask him about the matter. I found him bathing between the two posts, shielding himself by a robe. I greeted him and he asked: "Who is this?" I said: "I am ʿAbdullāh ibn Ḥunayn, sent by ʿAbdullāh ibn ʿAbbās to ask you how God's Messenger (peace be upon him) washed his head when he was in *iḥrām*?" Abu Ayyūb placed his hand on his robe and lowered it so that I could see his head. He then said to someone who was pouring the water for him: "Pour it". He poured the water over his head, and he moved his head with his two hands moving them forward and backward. He then said: "This is how I saw him doing it".'**

وَحَدَّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، وَعَمْرٌو النّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ زَيْدِ بْنِ أَسْلَمَ، ح. وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، - وَهَذَا حَدِيثُهُ - عَنْ مَالِكِ بْنِ أَنَسٍ، فِيمَا قُرِئَ عَلَيْهِ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ اللهِ بْنِ حُنَيْنٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللهِ بْنِ عَبَّاسٍ، وَالْـمِسْوَرِ بْنِ مَخْرَمَةَ، أَنَّهُمَا اخْتَلَفَا بِالأَبْوَاءِ. فَقَالَ عَبْدُ اللهِ بْنُ عَبَّاسٍ يَغْسِلُ الْـمُحْرِمُ رَأْسَهُ. وَقَالَ الْـمِسْوَرُ لاَ يَغْسِلُ الْـمُحْرِمُ رَأْسَهُ. فَأَرْسَلَنِي ابْنُ عَبَّاسٍ إِلَى أَبِي أَيُّوبَ الأَنْصَارِيِّ أَسْأَلُهُ عَنْ ذَلِكَ، فَوَجَدْتُهُ يَغْتَسِلُ بَيْنَ الْقَرْنَيْنِ، وَهُوَ يَسْتَتِرُ بِثَوْبٍ. قَالَ: فَسَلَّمْتُ عَلَيْهِ، فَقَالَ: مَنْ هَذَا؟ فَقُلْتُ أَنَا عَبْدُ اللهِ بْنُ حُنَيْنٍ، أَرْسَلَنِي إِلَيْكَ عَبْدُ اللهِ بْنُ عَبَّاسٍ أَسْأَلُكَ كَيْفَ كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَغْسِلُ رَأْسَهُ وَهُوَ مُحْرِمٌ؟ فَوَضَعَ أَبُو أَيُّوبَ، رَضِيَ اللهُ عَنْهُ، يَدَهُ عَلَى الثَّوْبِ، فَطَأْطَأَهُ حَتَّى بَدَا لِي رَأْسُهُ، ثُمَّ قَالَ لإِنْسَانٍ يَصُبُّ: اصْبُبْ. فَصَبَّ عَلَى رَأْسِهِ، ثُمَّ حَرَّكَ رَأْسَهُ بِيَدَيْهِ، فَأَقْبَلَ بِهِمَا وَأَدْبَرَ. ثُمَّ قَالَ: هَكَذَا رَأَيْتُهُ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَفْعَلُ.

[2514–92]. (Dar al-Salam 2745) Isḥāq ibn Ibrāhīm and ʿAlī ibn Khashram narrated: both said: ʿĪsā ibn Yūnus reported; Ibn Jurayj narrated; Zayd ibn Aslam reported to me, with the same chain of transmission: **the same text, but he said: ‘Abu Ayyūb passed his two hands over his head, over all his head, moving them forward and backward. Al-Miswar said to Ibn ʿAbbās: “I shall never dispute anything you say”.’**

وَحَدّثَنَاهُ إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَعَلِيَّ بْنُ خَشْرَمٍ، قَالا: أَخْبَرَنَا عِيسَى بْنُ يُونُسَ، حَدَّثَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي زَيْدُ بْنُ أَسْلَمَ، بِهَذَا الإِسْنَادِ. وَقَالَ: فَأَمَرَّ أَبُو أَيُّوبَ بِيَدَيْهِ عَلَى رَأْسِهِ جَمِيعًا، عَلَى جَمِيعِ رَأْسِهِ، فَأَقْبَلَ بِهِمَا وَأَدْبَرَ. فَقَالَ الْـمِسْوَرُ لاِبْنِ عَبَّاسٍ: لاَ أُمَارِيكَ أَبَدًا.

Text Explanation

The hadith mentions that when Ibn Ḥunayn arrived at Abu Ayyūb's he found him 'bathing between the two posts'. This is a reference to the two posts that are erected at a well, with a crossbar in between them, on which a pulley is fixed to draw water from the well.

This hadith gives several interesting points including the permissibility of taking a bath by a person in the state of *iḥrām*. It is also permissible for such a person to wash his head and to pass his hands over his hair, provided that he does not pluck any hair out. Another important point is the acceptance of information given by one person. This was widely acted upon among the Prophet's Companions. Further, when there is a difference of views, reference should be made to a religious text, and when there is such a text, there can be no ijtihad and drawing conclusions through analogy. Yet another point of interest is that it is perfectly permissible to offer the greeting of '*salam'* to someone doing his ablutions, but not one who is answering the call of nature. The hadith further shows that it is permissible to have someone to help when performing one's ablutions, but it is better not to do so, unless needed. Scholars also agree that a person in *iḥrām* must take a full bath washing his head and body to remove a state of ceremonial impurity, i.e., *janābah*. To wash himself to cool down in hot weather is permissible according to our school and the majority of scholars. According to our school, it is also permissible to wash one's head during *iḥrām* using *sidr*[ii] [or similar cleaning material such as soap], provided that one does not remove any hair. No compensation is due if no hair is removed. Abu Ḥanīfah and Mālik say that this is forbidden and requires compensation if done.

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i. Related by al-Bukhari, 1840; Abu Dāwūd, 1837.

ii. A powder extracted from the *nabk* tree, and was widely used in cleansing one's body before soap.

CHAPTER 14

WHEN A PERSON IN CONSECRATION DIES

[2515–93]. (Dar al-Salam 2746) Abu Bakr ibn Abi Shaybah narrated:[i] Sufyān ibn ʿUyaynah narrated; from ʿAmr; from Saʿīd ibn Jubayr; from Ibn ʿAbbās; from the Prophet (peace be upon him): **‘A man fell off his camel and broke his neck and died. He said: “Wash him with water mixed with Lote leaves, and wrap him in his two garments, but do not cover his head. God will resurrect him on the Day of Judgement saying the *talbiyah* [i.e., the response]”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، خَرَّ رَجُلٌ مِنْ بَعِيرِهِ، فَوُقِصَ فَمَاتَ. فَقَالَ: «اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْهِ، وَلا تُخَمِّرُوا رَأْسَهُ، فَإِنَّ اللَّهَ يَبْعَثُهُ يَوْمَ الْقِيَامَةِ مُلَبِّيًا».

[2516–94]. (Dar al-Salam 2747) Abu al-Rabīʿ al-Zahrānī narrated:[ii] Ḥammād narrated; from ʿAmr ibn Dīnār and Ayyūb; from Saʿīd ibn Jubayr; from Ibn ʿAbbās. He said: **‘As a man was attending Arafat with God’s Messenger, he fell off his she-**

camel and broke his neck. This was mentioned to the Prophet, and he said: “Wash him with water mixed with Lote leaves, and wrap him in two garments, but neither embalm him nor cover his head. God will resurrect him on the Day of Judgement saying the *talbiyah* [i.e., the response]”.’[iii]

وَحَدَّثَنَا أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، حَدَّثَنَا حَمَّادٌ، عَنْ عَمْرِو بْنِ دِينَارٍ وَأَيُّوبَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: بَيْنَمَا رَجُلٌ وَاقِفٌ مَعَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِعَرَفَةَ، إِذْ وَقَعَ مِنْ رَاحِلَتِه. قَالَ أَيُّوبُ: فَأَوْقَصَتْهُ أَوْ قَالَ فَأَقْعَصَتْهُ، وَقَالَ عَمْرٌو: فَوَقَصَتْهُ. فَذُكِرَ ذَلِكَ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: «اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْنِ، وَلاَ تُحَنِّطُوهُ، وَلاَ تُخَمِّرُوا رَأْسَهُ». قَالَ أَيُّوبُ: فَإِنَّ اللَّهَ يَبْعَثُهُ يَوْمَ الْقِيَامَةِ مُلَبِّيًا. وَقَالَ عَمْرٌو: فَإِنَّ اللَّهَ يَبْعَثُهُ يَوْمَ الْقِيَامَةِ يُلَبِّي.

[2517–95].[iv] ʿAmr al-Nāqid narrated: Ismāʿīl ibn Ibrāhīm nar-rated; from Ayyūb; he said: I have been informed from Saʿīd ibn Jubayr; from Ibn ʿAbbād; that **‘A man was standing with the Prophet (peace be upon him) and he was in consecration…’. He mentioned something similar to Ḥammād’s narration from Ayyūb.**

وَحَدَّثَنِيهِ عَمْرٌو النَّاقِدُ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، عَنْ أَيُّوبَ، قَالَ نُبِّئْتُ عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَجُلاً كَانَ وَاقِفًا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ. فَذَكَرَ نَحْوَ مَا ذَكَرَ حَمَّادٌ عَنْ أَيُّوبَ.

[2518–96]. (Dar al-Salam 2748) ʿAlī ibn Khashram narrated: ʿĪsā (meaning Ibn Yūnus) reported; from Ibn Jurayj; ʿAmr ibn Dīnār reported to me; from Saʿīd ibn Jubayr; from Ibn ʿAbbās; that **‘A man travelled in consecration with the Prophet (peace be upon him), and he fell off his camel and broke his neck and died. God’s Messenger (peace be upon him) said: “Wash him with water mixed with Lote leaves, and put his two garments on him, but do not cover his head. On the Day of Judgement, he will be saying the *talbiyah* [i.e., the response]”.’**

وَحَدَّثَنَا عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى (يَعْنِي ابْنَ يُونُسَ)، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: أَقْبَلَ رَجُلٌ حَرَامًا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَخَرَّ مِنْ بَعِيرِهِ فَوُقِصَ وَقْصًا فَمَاتَ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَأَلْبِسُوهُ ثَوْبَيْهِ، وَلاَ تُخَمِّرُوا رَأْسَهُ. فَإِنَّهُ يَأْتِي يَوْمَ الْقِيَامَةِ يُلَبِّي».

[2519–97]. (Dar al-Salam 2749) ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr al-Bursānī reported; Ibn Jurayj reported; ʿAmr ibn Dīnār reported to me; that Saʿīd ibn Jubayr reported to him; from Ibn ʿAbbās. He said: **‘A man came with God’s Messenger in consecration…’ the same text, except that he said: ‘On the Day of Judgement he will be resurrected saying the *talbiyah*’. He added that Saʿīd ibn Jubayr did not mention where the man fell.**

وَحَدَّثَنَاهُ عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ الْبُرْسَانِيُّ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ، أَنَّ سَعِيدَ بْنَ

جُبَيْرٍ، اخْبَرَهُ عَنِ ابْنِ عَبّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: أَقْبَلَ رَجُلٌ حَرَامٌ مَعَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ... بِمِثْلِهِ، غَيْرَ أَنَّهُ قَالَ: «فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّيًا». وَزَادَ: لَمْ يُسَمِّ سَعِيدُ بْنُ جُبَيْرٍ حَيْثُ خَرَّ.

[2520–98]. (Dar al-Salam 2750) Abu Kurayb narrated: Wakīʿ narrated; from Sufyān; from ʿAmr ibn Dīnār; from Saʿīd ibn Jubayr; from Ibn ʿAbbās; that **‘A man was in *iḥrām* when his she-camel caused him to fall, and he broke his neck and died. God’s Messenger (peace be upon him) said: “Wash him with water mixed with Lote leaves, and wrap him in his two garments, but do not cover his head or his face. He will be resurrected on the Day of Judgement saying the *talbiyah* [i.e., the response]”.’**

وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللَّهُ عَنْهُمَا، أَنَّ رَجُلاً أَوْقَصَتْهُ رَاحِلَتُهُ وَهُوَ مُحْرِمٌ، فَمَاتَ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْهِ، وَلاَ تُخَمِّرُوا رَأْسَهُ وَلاَ وَجْهَهُ، فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّيًا».

[2521–99]. (Dar al-Salam 2751) Muhammad ibn al-Ṣabbāḥ narrated:[v] Hushaym narrated; Abu Bishr reported; Saʿīd ibn Jubayr narrated; from Ibn ʿAbbās [H]. Also, Yaḥyā ibn Yaḥyā narrated (his text); Hushaym reported; from Abu Bishr; from Saʿīd ibn Jubayr; from Ibn ʿAbbās; that **‘A man was in *iḥrām* with God’s Messenger (peace be upon him) when his she-camel caused him to fall, and he broke his neck and died. God’s Messenger (peace**

be upon him) said: “Wash him with water mixed with Lote leaves, and wrap him in his two garments, but neither touch him with any perfume nor cover his head. God will resurrect him on the Day of Judgement with his hair fixed”.’

وَحَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ، حَدَّثَنَا هُشَيْمٌ، أَخْبَرَنَا أَبُو بِشْرٍ، حَدَّثَنَا سَعِيدُ بْنُ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا هُشَيْمٌ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَجُلاً كَانَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُحْرِمًا، فَوَقَصَتْهُ نَاقَتُهُ فَمَاتَ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْهِ، وَلاَ تُمِسُّوهُ بِطِيبٍ وَلاَ تُخَمِّرُوا رَأْسَهُ، فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّدًا».

[2522–100]. (Dar al-Salam 2752) Abu Kāmil Fuḍayl ibn Ḥusayn al-Jaḥdarī narrated to me: Abu ʿAwānah narrated; from Abu Bishr; from Saʿīd ibn Jubayr; from Ibn ʿAbbās; that **‘Falling off his camel, a man who was in consecration accompanying God’s Messenger (peace be upon him) had his neck broken. God’s Messenger ordered that he be washed with water mixed with Lote leaves, and no perfume was to be used on him, nor should his head be covered as he will be resurrected on the Day of Judgement with his hair fixed’.**

وَحَدَّثَنِي أَبُو كَامِلٍ فُضَيْلُ بْنُ حُسَيْنٍ الْجَحْدَرِيُّ، حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَجُلاً وَقَصَهُ بَعِيرُهُ وَهُوَ

مُحْرِمٌ مَعَ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ. فَامَرَ بِهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يُغْسَلَ بِمَاءٍ وَسِدْرٍ، وَلاَ يُمَسَّ طِيبًا وَلاَ يُخَمَّرَ رَأْسُهُ، فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّدًا.

[2523–101]. (Dar al-Salam 2753) Muhammad ibn Bashshār and Abu Bakr ibn Nāfiʿ narrated: Ibn Nāfiʿ said: Ghundar reported; Shuʿbah narrated; he said: I heard Abu Bishr narrating from Saʿīd ibn Jubayr; that he heard Ibn ʿAbbās narrating that **‘A man came to the Prophet (peace be upon him) and he was in consecration. He fell off his she-camel and broke his neck. The Prophet ordered that he should be washed with water mixed with Lote leaves, and then wrapped in two garments, with no perfume applied to him. His head should remain uncovered’.**

Shuʿbah said: **‘He narrated it to me later, saying: “His head and face should remain uncovered, as he will be resurrected on the Day of Judgement with his hair fixed”.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ، وَأَبُو بَكْرِ بْنُ نَافِعٍ. قَالَ ابْنُ نَافِعٍ: أَخْبَرَنَا غُنْدَرٌ، حَدَّثَنَا شُعْبَةُ، قَالَ سَمِعْتُ أَبَا بِشْرٍ، يُحَدِّثُ عَنْ سَعِيدِ بْنِ جُبَيْرٍ، أَنَّهُ سَمِعَ ابْنَ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، يُحَدِّثُ أَنَّ رَجُلاً أَتَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُحْرِمٌ، فَوَقَعَ مِنْ نَاقَتِهِ، فَأَقْعَصَتْهُ. فَأَمَرَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يُغْسَلَ بِمَاءٍ وَسِدْرٍ، وَأَنْ يُكَفَّنَ فِي ثَوْبَيْنِ، وَلاَ يُمَسَّ طِيبًا، خَارِجٌ رَأْسُهُ.

قَالَ شُعْبَةُ: ثُمَّ حَدَّثَنِي بِهِ بَعْدَ ذَلِكَ: خَارِجٌ رَأْسُهُ وَوَجْهُهُ، فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ مُلَبِّدًا.

[2524–102]. (Dar al-Salam 2754) Ḥārūn ibn ʿAbdullāh narrated: al-Aswad ibn ʿĀmir narrated; from Zuhayr; from Abu al-Zubayr; he said: I heard Saʿīd ibn Jubayr say: Ibn ʿAbbās said: **‘A man fell off his she-camel and broke his neck as he was with God’s Messenger (peace be upon him). God’s Messenger ordered them [his Companions] to wash him with water mixed with lote leaves, and to keep his face uncovered. (I think he said) and his head, as he will be resurrected on the Day of Judgement declaring his intention’.**

حَدَّثَنَا هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا الأَسْوَدُ بْنُ عَامِرٍ، عَنْ زُهَيْرٍ، عَنْ أَبِي الزُّبَيْرِ، قَالَ سَمِعْتُ سَعِيدَ بْنَ جُبَيْرٍ يَقُولُ: قَالَ ابْنُ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، وَقَصَتْ رَجُلاً رَاحِلَتُهُ وَهُوَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَأَمَرَهُمْ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَأَنْ يَكْشِفُوا وَجْهَهُ - حَسِبْتُهُ قَالَ – وَرَأْسَهُ، فَإِنَّهُ يُبْعَثُ يَوْمَ الْقِيَامَةِ وَهُوَ يُهِلُّ.

[2525–103]. (Dar al-Salam 2755) ʿAbd ibn Ḥumayd narrated: ʿUbaydullāh ibn Mūsā reported; Isrā’īl narrated; from Manṣūr; from Saʿīd ibn Jubayr; from Ibn ʿAbbās. He said: **‘A man was accompanying God’s Messenger (peace be upon him) when he fell off his she-camel and broke his neck and died. The Prophet said: “Wash him, but do not touch him with any perfume. Do not cover his face, as he will be resurrected saying the *talbiyah*”.’**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عُبَيْدُ اللهِ بْنُ مُوسَى، حَدَّثَنَا إِسْرَائِيلُ، عَنْ مَنْصُورٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ

عَبّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ كَانَ مَعَ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ رَجُلٌ، فَوَقَصَتْهُ نَاقَتُهُ فَمَاتَ. فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «اغْسِلُوهُ وَلاَ تُقَرِّبُوهُ طِيبًا، وَلاَ تُغَطُّوا وَجْهَهُ، فَإِنَّهُ يُبْعَثُ يُلَبِّي».

Text Explanation

The hadiths in this chapter provide ample evidence in support of the view of al-Shāfiʿī, Ahmad, Isḥāq and other scholars that if a person in *iḥrām* dies, it is not permissible to wrap his body in what is tailored, nor to cover his head or apply perfume to his body. Mālik, al-Awzāʿī, Abu Ḥanīfah and others said that the same restrictions applicable to a living person in *iḥrām* apply to the deceased. However, these hadiths reject this view. The Prophet's instructions are to give the deceased a full *ghusl* using water mixed with leaves of the Lote tree. This shows that using such leaves in giving a deceased his final wash is desirable, and it applies to a person who dies in consecration as it applies to others. This is the view of our Shāfiʿī School, and it is endorsed by Ṭāwūs, ʿAṭā', Mujāhid, Ibn al-Mundhir and others, while Mālik, Abu Ḥanīfah and others disapprove of it.

In hadith No. 2520 the Prophet's instructions say: 'Do not cover his head or face'. It is well-known that a living person who is in *iḥrām* may not cover his head. To cover it is unanimously agreed upon as forbidden. As for covering his face, Mālik and Abu Ḥanīfah say that the same ruling applies as covering his head. Al-Shāfiʿī and the majority of scholars say that *iḥrām* rulings do not apply to a man's face, and it is permissible for a man to cover his face. Uncovering one's face in *iḥrām* is required of women. These rulings apply to a living person when in a state of consecration, or *iḥrām*. If such a person dies, al-Shāfiʿī and those sharing his view say that covering his head is forbidden, as earlier explained, but covering his face is not forbidden. The same ruling applies as during his life. Therefore, this hadith is understood not to add a new restriction to cover the face as such, but it is mentioned to ensure that the head remains uncovered. If the deceased's face is covered, the covering may extend to cover his head. It is necessary to give such understanding to this hadith because Mālik, Abu Ḥanīfah and other scholars say that it is permissible to cover the deceased's head and face, but al-Shāfiʿī and others say that only covering the face is permissible.

In most hadiths in this chapter, the Prophet tells his Companions to wrap the deceased's body in *his* two garments, but in one he only says 'in two garments'. This provides some interesting points including an endorsement of al-Shāfiʿī's view that the deceased remains in a state of

consecration. Another point is that it is permissible to wrap the deceased in two garments, although three is preferable.[vi] A further point is that the wrapping of the deceased's body is given precedence, ahead of settling any debt owed by the deceased. The Prophet did not ask whether the deceased person had any outstanding debt. Moreover, wrapping the deceased's body is a duty, unanimously agreed upon. The same ruling applies to giving the deceased a final *ghusl*, offering the funeral prayer and burying him.

In these hadiths the Prophet mentions that a person who dies during consecration will be resurrected saying the *talbiyah*, and in some versions 'with fixed hair'. This means that he will be resurrected in the same condition he was in at the time of his death. This is the same as stated about a martyr, who is resurrected with his wounds bleeding. These hadiths show that it is desirable to continue to repeat the *talbiyah* phrases during consecration and to apply something to one's head so as to keep one's hair fixed in place. The *talbiyah* phrases confirm that one believes in God's Oneness and that one is undertaking the hajj in response to His order.

In hadith No. 2516 the Prophet's instructions include that the deceased must not be embalmed. This refers to some mixture of perfumery seeds that are used particularly when preparing the body of a deceased person for burial. They are not used for any other purpose.

Transmission

The chain of transmission of hadith No. 2521 includes: ‘Muhammad ibn al-Ṣabbāḥ narrated: Hushaym narrated; Abu Bishr reported; Saʿīd ibn Jubayr narrated’. Abu Bishr mentioned here is Abu Bishr al-Ghabrī. His name is al-Walīd ibn Muslim ibn Shihāb, who was from Basrah. He belonged to the *tābiʿīn* generation and reported from Jundab ibn ʿAbdullāh, a companion of the Prophet. Muslim is the only Hadith scholar who relates hadiths narrated by Abu Bishr who is graded as ‘reliable’ by all Hadith scholars.

The chain of transmission of hadith No. 2525 is as follows: ‘ʿAbd ibn Ḥumayd narrated: ʿUbaydullāh ibn Mūsā reported; Isrā’īl narrated; from Manṣūr; from Saʿīd ibn Jubayr; from Ibn ʿAbbās’. This is one of the hadiths related by Muslim and questioned by al-Dāraquṭnī, who says that Manṣūr heard this hadith from al-Ḥakam. This is how al-Bukhari enters it, ‘from Manṣūr, from al-Ḥakam, from Saʿīd’, and this is the correct way. It is also said: ‘from Manṣur, from Salamah’, but this is incorrect, and God knows best.

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i. Related by al-Bukhari in similar wording, 1268 and 1849; Abu Dāwūd, 3238, 3239; al-Tirmidhī, 951; al-Nasā’ī, 1903, 2713, 2858; Ibn Mājah, 3084.

ii. Related by al-Bukhari, 1265, 1266, 1268, 1850; Abu Dāwūd, 3239, 3240; al-Nasā’ī, 2855

iii. There is a slight difference between the ways the two narrators, ʿAmr and Ayyūb, mention the last sentence, but the difference does not affect the meaning in any way.

iv. In Dar al-Salam’s edition, this hadith is attached to the previous one, having no separate number

v. Related by al-Bukhari, 1267, 1851; al-Nasā’ī, 2712, 2853, 2854, 2857; Ibn Mājah, 3084.

vi. This refers to the recommended practice of wrapping the body of a deceased person using three garments, but in the case of one dying when in a state of consecration, his two *iḥrām* garments are sufficient.

CHAPTER 15

CONDITIONAL RELEASE FROM CONSECRATION

[2526–104]. (Dar al-Salam 2756) Abu Kurayb Muhammad ibn al-ʿAlā’ al-Hamdānī narrated:[i] Abu Usāmah narrated; from Hishām; from his father; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) visited Ḍubāʿah bint al-Zubayr. He said to her: “Do you want to perform the hajj?” She said: “By God, I am often ill”. He said: “Then go for hajj and make a condition. You say: ‘My Lord, my place of release [from consecration] is wherever You detain me’.” She was married to al-Miqdād’.**

حَدَّثَنَا أَبُو كُرَيْبٍ مُحَمَّدُ بْنُ الْعَلاَءِ الْهَمْدَانِيُّ حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: دَخَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ، فَقَالَ لَهَا: «أَرَدْتِ الْحَجَّ»؟ قَالَتْ: وَاللهِ مَا أَجِدُنِي إِلاَّ وَجِعَةً. فَقَالَ لَهَا: «حُجِّي وَاشْتَرِطِي، وَقُولِي: اللَّهُمَّ مَحِلِّي حَيْثُ حَبَسْتَنِي». وَكَانَتْ تَحْتَ الْـمِقْدَادِ.

[2527–105]. (Dar al-Salam 2757-2758) ʿAbd ibn Ḥumayd nar-rated:[ii] ʿAbd al-Razzāq reported; Maʿmar reported; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah. She said: **‘The Prophet visited Ḍubāʿah bint al-Zubayr ibn**

ʿAbd al-Muṭṭalib. She said: “Messenger of God, I want to perform the hajj, but I am ill”. The Prophet said: “Offer the hajj and make a condition that ‘my place of release is where You detain me’.”’

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: دَخَلَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ بْنِ عَبْدِ الْـمُطَّلِبِ، فَقَالَتْ: يَا رَسُولَ اللهِ، إِنِّي أُرِيدُ الْحَجَّ وَأَنَا شَاكِيَةٌ. فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي».

ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from Hishām ibn ʿUrwah; from his father; from ʿĀ’ishah; **the same text.**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، مِثْلَهُ

[2528–106]. (Dar al-Salam 2759) Muhammad ibn Bashshār narrated:[iii] ʿAbd al-Wahhāb ibn ʿAbd al-Majīd, Abu ʿĀṣim and Muhammad ibn Bakr narrated; from Ibn Jurayj [H]. Also, Isḥāq ibn Ibrāhīm narrated (his text); Muhammad ibn Bakr reported; Ibn Jurayj reported; Abu al-Zubayr reported to me; that he heard Ṭāwūs and ʿIkrimah, Ibn ʿAbbās’ *mawlā*; from Ibn ʿAbbās; that **‘Ḍubāʿah bint al-Zubayr ibn ʿAbd al-Muṭṭalib went to see God’s Messenger (peace be upon him). She said: “I am a woman who is heavy, and I want to offer the hajj. What do you command me [to do]?” He said: “Start your journey for the hajj and**

stipulate a condition that ‘my place of release is where You will detain me’.”’ He [meaning Ibn ʿAbbās] said: ‘She completed [her hajj]’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ، حَدَّثَنَا عَبْدُ الْوَهَّابِ بْنُ عَبْدِ الْـمَجِيدِ، وَأَبُو عَاصِمٍ، وَمُحَمَّدُ بْنُ بَكْرٍ عَنِ ابْنِ جُرَيْجٍ، ح. وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ طَاوُسًا، وَعِكْرِمَةَ، مَوْلَى ابْنِ عَبَّاسٍ عَنِ ابْنِ عَبَّاسٍ، أَنَّ ضُبَاعَةَ بِنْتَ الزُّبَيْرِ بْنِ عَبْدِ الْـمُطَّلِبِ، رَضِيَ اللهُ عَنْهَا، أَتَتْ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ: إِنِّي امْرَأَةٌ ثَقِيلَةٌ، وَإِنِّي أُرِيدُ الْحَجَّ، فَمَا تَأْمُرُنِي؟ قَالَ: «أَهِلِّي بِالْحَجِّ وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ تَحْبِسُنِي». قَالَ: فَأَدْرَكَتْ.

[2529–107]. (Dar al-Salam 2760) Ḥārūn ibn ʿAbdullāh narrated:[iv] Abu Dāwūd al-Ṭayālisī narrated; Ḥabīb ibn Yazīd narrated; from ʿAmr ibn Harim; from Saʿīd ibn Jubayr and ʿIkrimah; from Ibn ʿAbbās; that **‘Ḍubāʿah wanted to offer the hajj. The Prophet ordered her to make a condition. She did so in obedience to God’s Messenger’s order’.**

حَدَّثَنَا هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ، حَدَّثَنَا حَبِيبُ بْنُ يَزِيدَ، عَنْ عَمْرِو بْنِ هَرِمٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، وَعِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ ضُبَاعَةَ أَرَادَتِ الْحَجَّ، فَأَمَرَهَا النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

انْ تَشْتَرِط، فَفَعَلتْ ذَلِكَ عَنْ امْرِ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ.

[2530–108]. (Dar al-Salam 2761) Isḥāq ibn Ibrāhīm, Abu Ayyūb al-Ghaylānī and Ahmad ibn Khirāsh narrated: Abu ʿĀmir (who is ʿAbd al-Malik ibn ʿAmr; Isḥāq said: ‘reported’ and the others said: ‘narrated’); Rabāḥ (who is Ibn Abi Maʿrūf) narrated; from ʿAṭā’; from Ibn ʿAbbās; that **‘The Prophet said to Ḍubāʿah: “Go for the hajj and state a condition that ‘my place of release is where You will detain me’.”’**

In Isḥāq’s narration: **‘He ordered Ḍubāʿah’.**

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَأَبُو أَيُّوبَ الْغَيْلاَنِيُّ، وَأَحْمَدُ بْنُ خِرَاشٍ (قَالَ إِسْحَاقُ أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) أَبُو عَامِرٍ (وَهُوَ عَبْدُ الْـمَلِكِ بْنُ عَمْرٍو)، حَدَّثَنَا رَبَاحٌ (وَهُوَ ابْنُ أَبِي مَعْرُوفٍ)، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ لِضُبَاعَةَ، رَضِيَ اللهُ عَنْهَا: «حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ تَحْبِسُنِي». وَفِي رِوَايَةِ إِسْحَاقَ: أَمَرَ ضُبَاعَةَ

Text Explanation

These hadiths speak about the Prophet's cousin, Ḍubāʿah bint al-Zubayr. They provide evidence endorsing the view that someone who intends to offer the hajj or the ʿumrah may state a condition at the time they enter into consecration that should they fall ill, they will release themselves from *iḥrām*. This is the view of ʿUmar ibn al-Khaṭṭāb, ʿAlī, Ibn Masʿūd, a number of the Prophet's Companions and the *tābiʿīn*, Ahmad, Isḥāq, and Abu Thawr. This is the correct view of the Shāfiʿī School of Fiqh. Their argument is based on this authentic and clear hadith. Abu Ḥanīfah, Mālik and some of the *tābiʿīn* say that making a condition is invalid. They interpret the hadith as referring to an individual case and that it applied to Ḍubāʿah in particular.

Qadi ʿIyāḍ refers to a grading of the hadith as lacking in authenticity, quoting al-Aṣīlī who said: 'No authentic chain of transmission clearly states the permissibility of making a condition. Al-Nasā'ī said: "I do not know anyone reporting it from al-Zuhrī other than Maʿmar".' What *Qadi* ʿIyāḍ refers to and what al-Aṣīlī said, claiming that the hadith lacks authenticity, is very wrong. I am mentioning it so that people do not take it for granted. This hadith is well known in al-Bukhari's *Ṣaḥīḥ*, Muslim's *Ṣaḥīḥ*, the *Sunan* anthologies of Abu Dāwūd, al-Tirmidhī and al-Nasā'ī, as well as other reliable Hadith anthologies. It is reported through several routes and with many chains of transmission, quoting a number of the Prophet's Companions. The fact that Muslim relates it in several chains of transmission provides a final argument.

The hadith provides evidence that illness during *iḥrām* does not permit a person to release himself from *iḥrām* if no such condition is made at the time he entered into consecration, but God knows best.

The hadiths mention Ḍubāʿah, who was the Prophet's cousin, as her father, al-Zubayr ibn ʿAbd al-Muṭṭalib, was the Prophet's uncle. The author of *al-Wasīṭ* mentions that she was Ḍubāʿah al-Aslamiyyah, but this is grossly mistaken. The correct thing is that she was Ḍubāʿah al-Hāshimiyyah.

i. Related by al-Bukhari, 5089.
ii. Related by al-Nasā’ī, 2767.
iii. Related by al-Nasā’ī, 2766; Ibn Mājah, 2938.
iv. Related by al-Nasā’ī, 2764.

CHAPTER 16

IḤRĀM FOR NEW MOTHERS AND WOMEN DURING THEIR PERIODS

[2531–109]. (Dar al-Salam 2762) Hannād ibn al-Sariy, Zuhayr ibn Ḥarb and ʿUthmān ibn Abi Shaybah narrated:[i] all from ʿAbdah; Zuhayr said: ʿAbdah ibn Sulaymān narrated; from ʿUbaydullāh ibn ʿUmar; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah. She said: **'Asmā' bint ʿUmays gave birth to Muhammad ibn Abu Bakr at al-Shajarah. God's Messenger (peace be upon him) told Abu Bakr to order her to take a bath and start her *iḥrām*'.**

حَدَّثَنَا هَنَّادُ بْنُ السَّرِيِّ، وَزُهَيْرُ بْنُ حَرْبٍ، وَعُثْمَانُ بْنُ أَبِي شَيْبَةَ، كُلُّهُمْ عَنْ عَبْدَةَ. قَالَ زُهَيْرٌ: حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عُبَيْدِ اللهِ بْنِ عُمَرَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: نُفِسَتْ أَسْمَاءُ بِنْتُ عُمَيْسٍ بِمُحَمَّدِ بْنِ أَبِي بَكْرٍ بِالشَّجَرَةِ، فَأَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَبَا بَكْرٍ يَأْمُرُهَا أَنْ تَغْتَسِلَ وَتُهِلَّ».

[2532–110]. (Dar al-Salam 2763) Abu Ghassān Muhammad ibn ʿAmr narrated:[ii] Jarīr ibn ʿAbd al-Ḥamīd narrated; from Yaḥyā ibn

Saʿīd; from Jaʿfar ibn Muhammad; from his father; from Jābir ibn ʿAbdullāh; on the case of Asmā’ bint ʿUmays when she gave birth at Dhul-Ḥulayfah that **‘God’s Messenger (peace be upon him) told Abu Bakr to order her to take a bath and start her *iḥrām*’.**

حَدَّثَنَا أَبُو غَسَّانَ مُحَمَّدُ بْنُ عَمْرٍو، حَدَّثَنَا جَرِيرُ بْنُ عَبْدِ الْحَمِيدِ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، فِي حَدِيثِ أَسْمَاءَ بِنْتِ عُمَيْسٍ، حِينَ نُفِسَتْ بِذِي الْحُلَيْفَةِ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَ أَبَا بَكْرٍ، رَضِيَ اللهُ عَنْهُ، فَأَمَرَهَا أَنْ تَغْتَسِلَ وَتُهِلَّ.

Text Explanation

The hadith makes it clear that entering into a state of consecration by a woman who has given birth or one having her period is perfectly valid. It is also desirable for them to take a bath before starting their *iḥrām*. Its advisability is agreed upon, but our Shāfiʿī School, Mālik, Abu Ḥanīfah and the majority of scholars consider it desirable, while al-Ḥasan and the Ẓāhirī scholars say that it is a duty.

A woman in postnatal discharge or in menstruation may do all the actions of the hajj except the *ṭawāf* and the two *rakʿahs* after it. The Prophet said to ʿĀ'ishah: 'Do all that a pilgrim does, but do not do the *ṭawāf*'. The hadith also makes it clear that the two *rakʿahs* offered at the time of entering into consecration are not a condition for the validity of *iḥrām*. Asmā' did not offer these two *rakʿahs*.

The first hadith in this chapter says that Asmā' gave birth at al-Shajarah, while the second says that it was at Dhul-Ḥulayfah, and in another narration at al-Baydā'. All these three places are close together: al-Shajarah is at Dhul-Ḥulayfah, while al-Baydā' is at its edge. *Qadi* ʿIyāḍ said: 'It may be that she took her place at al-Baydā' so that she would be a little further away from people'. The Prophet's place was at Dhul-Ḥulayfah itself. He stayed the night there and started his *iḥrām* there. All people called their place by the name of their leader's [i.e., the Prophet's] place.

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i. Related by Abu Dāwūd, 1743; Ibn Mājah, 2911.

ii. Related by al-Nasā'ī, 214, 390, 2760, 2761; Ibn Mājah, 2913.

CHAPTER 17[i]

METHODS OF *IḤRĀM*

[2533–111]. (Dar al-Salam 2764) Yaḥyā ibn Yaḥyā al-Tamīmī narrated:[ii] he said: I read out to Mālik; from Ibn Shihāb; from ʿUrwah; from ʿĀ'ishah; that she said: **'We set out with God's Messenger (peace be upon him) in the year of the Farewell Pilgrimage, and we declared our intention to perform the ʿumrah. Later, God's Messenger (peace be upon him) said: "Those who have brought their sacrifice with them should declare their intention to perform the hajj with the ʿumrah. They must not release themselves from *iḥrām* until they can release themselves from both together".'**

She said: 'I was having my period when I arrived in Makkah. I did not do the *ṭawāf* at the Kaʿbah or between al-Ṣafa and al-Marwah. I complained of this to God's Messenger (peace be upon him), and he said: "Undo your hair and comb it. Then abandon your ʿumrah and restart your *iḥrām* for the hajj". I did as he said. When we finished the hajj, God's Messenger sent me with ʿAbd al-Raḥmān ibn Abu Bakr to al-Tanʿīm and I performed the ʿumrah. The Prophet said [to me]: "This one is in place of your [earlier] ʿumrah".

Those who started with the ʿumrah performed the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah then released themselves from *iḥrām*. They later performed another *ṭawāf*, after they returned from Mina, [which *ṭawāf* was] for their hajj.

The ones who combined the hajj with the ʿumrah performed the *ṭawāf* once only’.

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ حَجَّةِ الْوَدَاعِ، فَأَهْلَلْنَا بِعُمْرَةٍ ثُمَّ قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ كَانَ مَعَهُ هَدْيٌ فَلْيُهِلَّ بِالْحَجِّ مَعَ الْعُمْرَةِ، ثُمَّ لاَ يَحِلُّ حَتَّى يَحِلَّ مِنْهُمَا جَمِيعًا». قَالَتْ: فَقَدِمْتُ مَكَّةَ وَأَنَا حَائِضٌ، لَمْ أَطُفْ بِالْبَيْتِ وَلاَ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. فَشَكَوْتُ ذَلِكَ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: «انْقُضِي رَأْسَكِ وَامْتَشِطِي، وَأَهِلِّي بِالْحَجِّ، وَدَعِي الْعُمْرَةَ». قَالَتْ: فَفَعَلْتُ، فَلَمَّا قَضَيْنَا الْحَجَّ أَرْسَلَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَعَ عَبْدِ الرَّحْمَنِ بْنِ أَبِي بَكْرٍ إِلَى التَّنْعِيمِ، فَاعْتَمَرْتُ. فَقَالَ: «هَذِهِ مَكَانَ عُمْرَتِكِ». فَطَافَ الَّذِينَ أَهَلُّوا بِالْعُمْرَةِ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ، ثُمَّ حَلُّوا، ثُمَّ طَافُوا طَوَافًا آخَرَ بَعْدَ أَنْ رَجَعُوا مِنْ مِنًى لِحَجِّهِمْ. وَأَمَّا الَّذِينَ كَانُوا جَمَعُوا الْحَجَّ وَالْعُمْرَةَ فَإِنَّمَا طَافُوا طَوَافًا وَاحِدًا.

Text Explanation

This hajj is called the ‘Farewell Pilgrimage’ because the Prophet bid farewell to people when he addressed them during it. It took place in the tenth year after the Prophet’s migration to Madinah, and he did not perform another hajj thereafter.

The hadiths in this chapter confirm that it is perfectly permissible to do the hajj on its own, separate from the ʿumrah, and this method is called the *ifrād*, and it is also permissible to perform the hajj and the ʿumrah in the *tamattuʿ* and the *qirān* methods. Scholars are unanimously agreed that all three methods are acceptable. As for the orders issued by ʿUmar and ʿUthmān, we shall explain this later, at its appropriate place, God willing.

The *ifrād* method means to start one’s *iḥrām* declaring one’s intention to do the hajj on its own. When the hajj is completed, the pilgrim may do the ʿumrah. The *tamattuʿ* method means to start the *iḥrām* for the ʿumrah in the hajj months and complete it, then to offer the hajj in the same year. The *qirān* method means that both duties are done at the same time. Likewise, if one declares one’s intention to do the ʿumrah, then adds a further *iḥrām* for the hajj before starting one’s *ṭawāf* for the ʿumrah, it is valid and one’s hajj becomes in the *qirān* method. On the other hand, if one starts consecration intending to do the hajj and then adds the ʿumrah, this case is given two views by al-Shāfiʿī, and the more correct of these is that his *iḥrām* for ʿumrah is invalid. The other view is that it is valid, and the person’s hajj becomes a *qirān* hajj, provided that the addition is done before the beginning of releasing oneself from the hajj *iḥrām*. Other statements are mentioned for the timing, which include before attendance at Arafat, before doing any obligatory duty and before doing the *ṭawāf* of arrival, etc.

The Preferable Method

Scholars differ as to which of the three methods is most preferable. Al-Shāfiʿī, Mālik and many others say that their preferability is in this order: *ifrād*, then *tamattuʿ*, then *qirān*. Ahmad and others held that *tamattuʿ* is most preferable, while Abu Ḥanīfah and others said that the *qirān* is best. These last two views are also additional verdicts by al-Shāfiʿī. The correct view is that the *ifrād* is most preferable, then the *tamattuʿ*, then the *qirān*. As for the Prophet's hajj, scholars differ as to whether he followed the *ifrād*, or the *tamattuʿ* or the *qirān* method. Scholars express three views according to their already listed preferences. Every group of scholars preferred a certain method and claimed that the Prophet's hajj was in the manner of their preference. The fact is that the Prophet started in the *ifrād* method, then added the ʿumrah incorporating it with the hajj. He thus made his hajj one of *qirān*. The reports of his Companions give different views as to whether he followed the *ifrād*, *tamattuʿ* or *qirān* method. Both al-Bukhari and Muslim mention all in their reports. These reports can be reconciled as I have already mentioned: he started in the *ifrād* and then changed to the *qirān*. Therefore, whoever of his Companions reported that he followed the *ifrād* relied on how he started, and whoever reported the *qirān* relied on the ultimate condition. Those who mentioned the *tamattuʿ* meant it in its linguistic sense, which is using what is most beneficial and easiest. He thus benefited by the *qirān* method, in the same way as the benefit of the *tamattuʿ* but more, as he did certain duties once for both the hajj and the ʿumrah. With this view, all the hadiths are reconciled.

Abu Muhammad ʿAlī ibn Ḥazm, of the Ẓāhirī School, reconciled the hadiths in a book he devoted to the Farewell Pilgrimage, claiming that the Prophet offered his hajj in the *qirān* method. He gave certain explanations of the other hadiths. The correct thing is as we stated earlier. Furthermore, I explained this, citing all evidence and all transmissions of the hadiths, as well as what scholars said about them, in my book, *Sharḥ al-Muhadhdhab*.

Al-Shāfiʿī and other scholars who prefer the *ifrād* method cite in support of their view the fact that this was reported by Jābir, Ibn ʿUmar, Ibn ʿAbbās and ʿĀ'ishah. These have an advantage over others of the Prophet's Companions in the context of the Farewell Pilgrimage. Jābir, for example,

gave us the best account of the Farewell Pilgrimage, describing it from the moment the Prophet left Madinah to the end. As such, he is more accurate in his reporting than all others. Ibn ʿUmar authentically reported that he held the rein of the Prophet's she-camel during the Farewell Pilgrimage. He criticised those who preferred Anas' report to his own, saying: 'Anas used to enter women's rooms when they had no head dress. I was under the Prophet's she-camel, feeling its saliva, as he said his *talbiyah*'. ʿĀ'ishah's closeness to God's Messenger is well-known. She was fully aware of his public and private affairs, and she was well versed in Islam and highly intelligent. Ibn ʿAbbās' considerable scholarship in matters of religion and his profound insight are well-known. In addition, he was diligent in his research, pursuing whatever he could learn of the Prophet's affairs from his senior Companions.

Another pointer to the preferability of the *ifrād* method is that the Rightly-Guided Caliphs continued to opt for this method. It was performed by Abu Bakr, ʿUmar and ʿUthmān. ʿAlī varied his action. Had it not been that the *ifrād* is better, and had they not known that the Prophet offered his hajj in the *ifrād*, they would not have done so regularly. Needless to say, they were the great imams who were to be followed in their own time and later generations. How could they, then, regularly do what was contrary to the Prophet's action? As for the difference reported from ʿAlī and others, we say that they only did so to show that it is permissible, and this is authentically clarified in the *Ṣaḥīḥ* anthologies.

A further evidence that the *ifrād* is preferable is seen in the fact that this method does not require a sacrifice, while both the *tamattuʿ* and *qirān* methods require a sacrifice, which is one of compensation for not starting the *iḥrām* for [one of the two duties] at the point of *mīqāt* and other things. What requires no compensation is preferable to what needs one. Another evidence is that the Muslim community is unanimous that the *ifrād* method is permissible and that it is not discouraged. ʿUmar and ʿUthmān, however, discouraged the *tamattuʿ* method, while some of the Prophet's Companions discouraged both the *tamattuʿ* and the *qirān*. Hence, the *ifrād* is preferable, but God knows best.

It may be asked, how is it that the Prophet's Companions differ in describing his hajj when he performed only a single hajj, and each reported

what he saw in this same context? *Qadi* ʿIyāḍ said:

> People have spoken in great detail about these hadiths. Some comments are fair and to the point while others fall short of what is required; some go into great lengths and others are very brief. The one who was most elaborate was Abu Jaʿfar Ahmad ibn Muhammad al-Ṭaḥāwī of the Ḥanafī School. He wrote more than one thousand pages on the subject. Others who spoke at length included Abu Jaʿfar Muhammad ibn Jarīr al-Ṭabarī, Abu ʿAbdullāh ibn Abi Ṣufrah, al-Muhallab, *Qadi* Abu ʿAbdullāh ibn al-Murābiṭ, *Qadi* Abu al-Ḥasan ibn al-Qaṣṣār of Baghdad and Abu ʿUmar ibn ʿAbd al-Barr.
>
> The best that may be said on this matter, in light of what we examined of their discourse and chose of their choices, is the need to combine reports and conform to the import of the hadiths. This shows that the Prophet (peace be upon him) permitted people to follow all these three methods, indicating that they are all correct. Had he mentioned only one method, it would have been thought that the others are not valid. Therefore, all three were attributed to him. Every one of his Companions who spoke about the matter only informed what the Prophet told him or permitted him to do, attributing it to the Prophet either because of the Prophet's order or his own understanding. As for the Prophet's own method of *iḥrām*, he adopted the most preferable one, starting his *iḥrām* in the *ifrād*, to do the hajj. This is confirmed in several authentic hadiths. The reports stating that he preferred the *tamattuʿ* method would mean that he ordered his Companions to do this. The other reports that he did the *qirān* speak about his later condition, not about how he started his *iḥrām*. These reports inform us of his own situation when he ordered his Companions to release themselves from their *iḥrām* for the hajj and turn it into a ʿumrah, to break away from the pre-Islamic practice. This applied to all except those who had brought their sacrifice with them. He and those who had their sacrifice were ultimately doing the *qirān* method, which means that they incorporated the ʿumrah into their hajj. He did this to comfort his Companions and show them that it was right to do so during the hajj

months. Previously, the Arabs disapproved of the ʿumrah in the hajj months. However, the Prophet could not release himself from consecration with his Companions and he expressed his regret that he could not do it as they did. Thus, in the later stages, the Prophet was doing the hajj in the *qirān* method.

The general consensus among scholars is that it is permissible to add the hajj to the ʿumrah, but a few say it may not be added, saying that no *iḥrām* may be added to a preceding *iḥrām*, in the same way as no prayer may be added to one in progress. Scholars differ about adding the ʿumrah to the hajj. Scholars who operate reasoning say it is permissible. Al-Shāfiʿī also said that it is permissible in the light of these hadiths. Others say that it is not permissible. They consider the Prophet's action to apply to him only because of the need to do the ʿumrah during the hajj months. This is how the view that the Prophet did the *tamattuʿ* is understood. It means that he had the benefit of doing the ʿumrah in the hajj months and with the hajj. The word *tamattuʿ* may be used in different senses. Thus, the hadiths are seen to be consistent.

What is reported of the Prophet's Companions doing the same, along with the authentic reports that they entered into *iḥrām* for the hajj alone, the *ifrād*, thus refers to their initial action, while the *qirān* speaks of the *iḥrām* of those of them who had brought their sacrifice with them, and the *tamattuʿ* refers to their cancellation of the hajj, opting for the ʿumrah, then starting the *iḥrām* later for the hajj, as done by those who did not have their sacrifice with them.

Some of our scholars said that the Prophet started his *iḥrām* as a general, unspecified one, awaiting whatever order he would be given: *ifrād*, *tamattuʿ* or *qirān*. He was then ordered to do the hajj and was later given the order to add the ʿumrah when he arrived at al-ʿAqīq Valley. He was told: 'Offer a prayer in this blessed valley and say: "an ʿumrah together with a hajj".' What we said earlier is clearer and gives a better understanding.

Qadi ʿIyāḍ said elsewhere: 'It is wrong to say, as some did, that the Prophet started his *iḥrām* in a general unspecified way because the reports given by

Jābir and other Companions of the Prophet, stated in authentic hadiths, are clear that this was not the case'.

Imam Ḥamad ibn Muhammad al-Khaṭṭābī said:

> In his book *Ikhtilāf al-Hadith*, al-Shāfiʿī excels in explaining this, stating it in fine style. To quote his statement in full would be very long, but here is the central essence of what he said:
>
> It is normal Arabic speech to attribute an action to the one giving an order in the same way as it is attributed to the one who actually does it. Thus, we say this person has built a house if he gives instructions to have it built. We say that the governor beat this person if he merely orders him to be beaten up. In the same way we say: 'the Prophet stoned Māʿiz', and 'so-and-so cut Ṣafwān's garment'. In all these examples, the person concerned only gave an order for the action to be done. This formula is frequently used in Arabic speech. Some of the Prophet's Companions opted for the *ifrād*, while others used the *tamattuʿ* method and others still the *qirān*. Everyone learnt their different ways from the Prophet and acted on his instructions. As such, all of these methods were correctly applied to God's Messenger (peace be upon him) in the sense that he ordered and permitted them.
>
> It is possible that some of them heard him say: '*labbayka bi ḥajjah*', i.e., 'I am responding, doing the hajj', and they reported that he did the *ifrād*, having not heard him adding 'and ʿumrah'. They only reported what they heard. On the other hand, Anas and others heard him say '*labbayka bi ḥajjah wa ʿumrah*'. An addition is normally accepted, but contradiction occurs when the addition negates what one has said. If the addition confirms it and adds to it, no contradiction occurs. It is also probable that the narrator heard the Prophet say to someone else: '*labbayka bi ḥajjah wa ʿumrah*' by way of instruction. These different narrations which appear varied do not impart any contradiction. Reconciling them is easy as we have said, but God knows best.

i. Note: This chapter is very long and includes many hadiths. We will divide the commentary as it suits the hadiths.

ii. Related by al-Bukhari, 1556, 1638; Abu Dāwūd, 1781; al-Nasā'ī, 2763 and in a shorter version, 242.

CHAPTER 17

METHODS OF *IḤRĀM* [CONTINUED]

[2534–112]. (Dar al-Salam 2765) ʿAbd al-Malik ibn Shuʿayb ibn al-Layth narrated:[i] my father narrated to me; from my grandfather; ʿUqayl ibn Khālid narrated to me; from Ibn Shihāb; from ʿUrwah ibn al-Zubayr; from ʿĀ'ishah, the Prophet's wife. She said: **'We set out with God's Messenger (peace be upon him) in the year of the Farewell Pilgrimage. Some of us declared the ʿumrah and some declared the hajj. When we arrived in Makkah, God's Messenger said: "Whoever started the *iḥrām* for ʿumrah and brought no sacrifice should release themselves from *iḥrām*. Those who started the *iḥrām* for ʿumrah and brought their sacrifice must not release themselves until they have slaughtered their sacrifice. Those who started their *iḥrām* for the hajj should continue their hajj".'**

ʿĀ'ishah added: 'I had started my period and my period continued until the Day of Arafat. I had only started my *iḥrām* for ʿumrah. God's Messenger ordered me to undo and comb my hair, restart the *iḥrām* for the hajj and leave my ʿumrah. I did as he said. When I finished my hajj, God's Messenger (peace be upon him) sent ʿAbd al-Raḥmān ibn Abu Bakr with me, instructing me to start *iḥrām* at al-Tanʿīm. This was in place of my [original] ʿumrah from which I had not released myself when the hajj was due'.

وَحَدّثَنَا عَبْدُ الـمَلِكِ بْنُ شُعَيْبِ بْنِ اللَّيْثِ، حَدّثَنِي ابِي، عَنْ جَدِّي، حَدَّثَنِي عُقَيْلُ بْنُ خَالِدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، زَوْجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَنَّهَا قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ حَجَّةِ الْوَدَاعِ فَمِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ، حَتَّى قَدِمْنَا مَكَّةَ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ أَحْرَمَ بِعُمْرَةٍ وَلَمْ يُهْدِ فَلْيَحْلِلْ. وَمَنْ أَحْرَمَ بِعُمْرَةٍ وَأَهْدَى فَلاَ يَحِلُّ حَتَّى يَنْحَرَ هَدْيَهُ. وَمَنْ أَهَلَّ بِحَجٍّ فَلْيُتِمَّ حَجَّهُ».

قَالَتْ عَائِشَةُ: رَضِىَ اللهُ عَنْهَا فَحِضْتُ، فَلَمْ أَزَلْ حَائِضًا حَتَّى كَانَ يَوْمُ عَرَفَةَ. وَلَمْ أُهْلِلْ إِلاَّ بِعُمْرَةٍ، فَأَمَرَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ أَنْقُضَ رَأْسِي وَأَمْتَشِطَ، وَأُهِلَّ بِحَجٍّ وَأَتْرُكَ الْعُمْرَةَ. قَالَتْ: فَفَعَلْتُ ذَلِكَ، حَتَّى إِذَا قَضَيْتُ حَجَّتِي بَعَثَ مَعِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ، وَأَمَرَنِي أَنْ أَعْتَمِرَ مِنَ التَّنْعِيمِ، مَكَانَ عُمْرَتِي الَّتِي أَدْرَكَنِي الْحَجُّ وَلَمْ أَحْلِلْ مِنْهَا.

[2535–113]. (Dar al-Salam (2766) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him) in the year of the Farewell Pilgrimage, and I started my *iḥrām* for ʿumrah, but I did not bring any sacrifice with me. The Prophet said: “Those who brought their sacrifice with them should declare the hajj with their ʿumrah. They must not release themselves from *iḥrām***

until they can release themselves from both together”.’ She said: ‘I started my period. On the night [before] Arafat, I said: “Messenger of God, I had started with ʿumrah. What shall I do about my hajj?” He said: “Undo your hair and comb it. Stop your ʿumrah and start the *iḥrām* for the hajj”. When I finished my hajj, he instructed ʿAbd al-Raḥmān ibn Abu Bakr and he took me behind him [on his she-camel] to start my ʿumrah from al-Tanʿīm. This was in place of my ʿumrah which I had abandoned’.

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ حَجَّةِ الْوَدَاعِ، فَأَهْلَلْتُ بِعُمْرَةٍ، وَلَمْ أَكُنْ سُقْتُ الْهَدْيَ، فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ كَانَ مَعَهُ هَدْيٌ فَلْيُهْلِلْ بِالْحَجِّ مَعَ عُمْرَتِهِ، ثُمَّ لاَ يَحِلَّ حَتَّى يَحِلَّ مِنْهُمَا جَمِيعًا». قَالَتْ: فَحِضْتُ، فَلَمَّا دَخَلَتْ لَيْلَةُ عَرَفَةَ قُلْتُ: يَا رَسُولَ اللهِ إِنِّي كُنْتُ أَهْلَلْتُ بِعُمْرَةٍ، فَكَيْفَ أَصْنَعُ بِحَجَّتِي. قَالَ: «انْقُضِي رَأْسَكِ وَامْتَشِطِي، وَأَمْسِكِي عَنِ الْعُمْرَةِ، وَأَهِلِّي بِالْحَجِّ». قَالَتْ: فَلَمَّا قَضَيْتُ حَجَّتِي أَمَرَ عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ، فَأَرْدَفَنِي، فَأَعْمَرَنِي مِنَ التَّنْعِيمِ، مَكَانَ عُمْرَتِي الَّتِي أَمْسَكْتُ عَنْهَا.

[2536–114]. (Dar al-Salam 2767) Ibn Abi ʿUmar narrated: Sufyān narrated; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him), and he said: “Whoever of you wishes to declare his *iḥrām* for the hajj and ʿumrah may do so, and whoever wishes to declare for the**

hajj may do so, and whoever wishes to declare for the ʿumrah may do so”.’ ʿĀ’ishah said: ‘God’s Messenger declared for the hajj and some people did the same as he did, while others declared for the ʿumrah and hajj and others still declared for the ʿumrah. I was one of those declaring for the ʿumrah’.

حَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: «مَنْ أَرَادَ مِنْكُمْ أَنْ يُهِلَّ بِحَجٍّ وَعُمْرَةٍ فَلْيَفْعَلْ، وَمَنْ أَرَادَ أَنْ يُهِلَّ بِحَجٍّ فَلْيُهِلَّ، وَمَنْ أَرَادَ أَنْ يُهِلَّ بِعُمْرَةٍ فَلْيُهِلَّ». قَالَتْ عَائِشَةُ رَضِيَ اللهُ عَنْهَا: فَأَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِحَجٍّ، وَأَهَلَّ بِهِ نَاسٌ مَعَهُ، وَأَهَلَّ نَاسٌ بِالْعُمْرَةِ وَالْحَجِّ، وَأَهَلَّ نَاسٌ بِعُمْرَةٍ، وَكُنْتُ فِيمَنْ أَهَلَّ بِالْعُمْرَةِ.

[2537–115]. (Dar al-Salam 2768) Abu Bakr ibn Abi Shaybah narrated:[ii] ʿAbdah ibn Sulaymān narrated; from Hishām; from his father; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him) for the Farewell Pilgrimage, shortly before the new moon of Dhul-Ḥijjah. God’s Messenger (peace be upon him) said: “Whoever of you wishes to declare for the ʿumrah may do so. Had I not brought my sacrifice, I would have declared for the ʿumrah”. Some of the people declared for the ʿumrah and some declared for the hajj. I was among the ones who declared for the ʿumrah. We proceeded until we arrived in Makkah. The Day of Arafat arrived when I was still having my period, and I had not released myself from my ʿumrah. I complained of this to the Prophet (peace be upon him) and he said: “Leave your ʿumrah, undo and comb your**

hair and declare for the hajj”. I did so. When it was the night of al-Ḥaṣbah and God had helped us complete our hajj, the Prophet sent ʿAbd al-Raḥmān ibn Abu Bakr with me and he took me behind him on his she-camel to al-Tanʿīm, where I started the *iḥrām* for ʿumrah. Thus, God completed our hajj and ʿumrah.

That did not involve sacrifice, charity or fasting [in compensation].’

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ، مُوَافِينَ لِهِلاَلِ ذِي الْحِجَّةِ. قَالَتْ: فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ أَرَادَ مِنْكُمْ أَنْ يُهِلَّ بِعُمْرَةٍ فَلْيُهِلَّ، فَلَوْلاَ أَنِّي أَهْدَيْتُ لأَهْلَلْتُ بِعُمْرَةٍ». قَالَتْ: فَكَانَ مِنَ الْقَوْمِ مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنْهُمْ مَنْ أَهَلَّ بِالْحَجِّ. قَالَتْ: فَكُنْتُ أَنَا مِمَّنْ أَهَلَّ بِعُمْرَةٍ. فَخَرَجْنَا حَتَّى قَدِمْنَا مَكَّةَ، فَأَدْرَكَنِي يَوْمُ عَرَفَةَ وَأَنَا حَائِضٌ، لَمْ أَحِلَّ مِنْ عُمْرَتِي. فَشَكَوْتُ ذَلِكَ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: «دَعِي عُمْرَتَكِ، وَانْقُضِي رَأْسَكِ وَامْتَشِطِي، وَأَهِلِّي بِالْحَجِّ». قَالَتْ: فَفَعَلْتُ، فَلَمَّا كَانَتْ لَيْلَةُ الْحَصْبَةِ، وَقَدْ قَضَى اللهُ حَجَّنَا، أَرْسَلَ مَعِي عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ، فَأَرْدَفَنِي وَخَرَجَ بِي إِلَى التَّنْعِيمِ، فَأَهْلَلْتُ بِعُمْرَةٍ.

فَقَضَى اللهُ حَجَّنَا وَعُمْرَتَنَا، وَلَمْ يَكُنْ فِي ذَلِكَ هَدْيٌ وَلاَ صَدَقَةٌ وَلاَ صَوْمٌ.

[2538–116]. (Dar al-Salam 2769) Abu Kurayb narrated: Ibn Numayr narrated; Hishām narrated; from his father; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him) shortly before the new moon of Dhul-Ḥijjah. We thought of nothing other than the hajj, but God’s Messenger (peace be upon him) said: “Whoever of you wishes to declare for the ʿumrah may do so…”.’ He narrated the hadith in the same text as ʿAbdah’s narration.**

وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مُوَافِينَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِهِلاَلِ ذِي الْحِجَّةِ، لاَ نَرَى إِلاَّ الْحَجَّ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ أَحَبَّ مِنْكُمْ أَنْ يُهِلَّ بِعُمْرَةٍ فَلْيُهِلَّ بِعُمْرَةٍ». وَسَاقَ الْحَدِيثَ بِمِثْلِ حَدِيثِ عَبْدَةَ.

[2539–117]. (Dar al-Salam 2770) Abu Kurayb narrated: Wakīʿ narrated; Hishām narrated; from his father; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him), shortly before the new moon of Dhul-Ḥijjah. Some of us declared for the ʿumrah, and some declared for the hajj and the ʿumrah; and some declared for the hajj. I was among those who declared for the ʿumrah…’. He narrated the hadith in similar terms to their hadith, saying in it: ‘ʿUrwah said about this: “God completed her hajj and ʿumrah”.’**

Hishām said: **‘That did not involve sacrifice, fasting or charity’.**

وَحَدّثَنَا ابُو كرَيْبٍ، حَدّثَنَا وَكِيعٌ، حَدّثَنَا هِشَامٌ، عَنْ ابِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُوَافِينَ لِهِلاَلِ ذِي الْحِجَّةِ، مِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجَّةٍ وَعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجَّةٍ. فَكُنْتُ فِيمَنْ أَهَلَّ بِعُمْرَةٍ. وَسَاقَ الْحَدِيثَ بِنَحْوِ حَدِيثِهِمَا، وَقَالَ فِيهِ: قَالَ عُرْوَةُ فِي ذَلِكَ إِنَّهُ قَضَى اللهُ حَجَّهَا وَعُمْرَتَهَا.

قَالَ هِشَامٌ: وَلَمْ يَكُنْ فِي ذَلِكَ هَدْيٌ وَلا صِيَامٌ وَلا صَدَقَةٌ.

[2540–118]. (Dar al-Salam 2771) Yaḥyā ibn Yaḥyā narrated:[iii] he said: I read out to Mālik; from Abu al-Aswad Muhammad ibn ʿAbd al-Raḥmān ibn Nawfal; from ʿUrwah; from ʿĀ’ishah; that she said: **‘We set out with God’s Messenger (peace be upon him) in the year of the Farewell Pilgrimage. Some of us declared for the ʿumrah, some declared for the hajj and the ʿumrah, and some declared for the hajj. God’s Messenger (peace be upon him) declared for the hajj. The ones who declared for the ʿumrah released themselves from *iḥrām*, but those who declared for the hajj or combined the hajj and the ʿumrah did not release themselves from *iḥrām* until the Day of the Sacrifice’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ أَبِي الأَسْوَدِ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ نَوْفَلٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ حَجَّةِ الْوَدَاعِ، فَمِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ وَعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِالْحَجِّ. وَأَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ.

فَامَّا مَنْ اهَلّ بِعُمْرَةٍ فَحَلّ، وَامَّا مَنْ اهَلّ بِحَجٍّ، اوْ جَمَعَ الْحَجَّ وَالْعُمْرَةَ، فَلَمْ يَحِلُّوا حَتَّى كَانَ يَوْمُ النَّحْرِ.

Text Explanation

In hadith No. 2533 ʿĀ'ishah reports: 'We set out with God's Messenger (peace be upon him) in the year of the Farewell Pilgrimage, and we declared our intention to perform the ʿumrah. Later, God's Messenger (peace be upon him) said: "Those who have brought their sacrifice with them should declare their intention to perform the hajj with the ʿumrah".' And in hadith No. 2534 she said: 'Some of us declared the ʿumrah and some declared the hajj… I had started my *iḥrām* only for ʿumrah'. *Qadi* ʿIyāḍ said:

> Reports of how ʿĀ'ishah started her *iḥrām* vary a great deal. Muslim mentions these we have just quoted, but he also relates hadith No. 2541 in which she says: 'We thought of nothing other than the hajj'. Al-Qāsim reports from her in No. 2545: 'We set out with God's Messenger declaring for the hajj'. And in No. 2542: 'We mentioned nothing other than the hajj'. All these narrations clearly state that she started her *iḥrām* declaring for the hajj. Yet al-Aswad quotes her in hadith No. 2551: 'We were saying the *talbiyah*, mentioning neither the hajj nor the ʿumrah'.
>
> Scholars differ in their views of the hadith quoting ʿĀ'ishah. Mālik said: 'ʿUrwah's narration from ʿĀ'ishah has not been upheld in our view, neither recently nor earlier'. Some scholars said that it appears more likely that she was in *iḥrām* for the hajj, as stated in the narrations by ʿAmrah, al-Aswad and al-Qāsim. They consider that ʿUrwah was mistaken in his report. Among the scholars taking this view was *Qadi* Ismāʿīl. They give preference to the reports by other narrators because ʿUrwah said in the narration by Ḥammād ibn Zayd, from Hishām, from ʿUrwah: 'More than one narrated to me that the Prophet (peace be upon him) said to her: Leave your ʿumrah'. They consider that this makes it clear that ʿUrwah did not hear the hadith from her. However, this is not clear because it is probable that she was among those who narrated the hadith to him. Such scholars add another argument, saying that in their narrations ʿAmrah and al-Qāsim give a full account of what ʿĀ'ishah did in her

hajj, from start to finish. Therefore, al-Qāsim said about ʿAmrah's narration: 'She gave you the hadith accurately'. Moreover, ʿUrwah's narration only tells us of how ʿĀ'ishah started her *iḥrām*.

Reconciling these hadiths is possible. She started her *iḥrām* declaring for the hajj, as authentically reported in the narrations of the majority. This is also the more authentic way that the Prophet and most of his Companions did. When the Prophet ordered his Companions to change their intention and do the ʿumrah first, she declared her *iḥrām* for ʿumrah. This is how al-Qāsim explained it in his narration. Thus, ʿUrwah mentioned her later condition, declaring for the ʿumrah, but not how she started.

This differs with what is authentically reported from her as she told of what the Prophet's Companions did and how they differed in their *iḥrām*, and that she declared her *iḥrām* for ʿumrah. To sum up: she started with the hajj, then she stopped that and took up the ʿumrah, when the people were ordered to do so. When she started her period and could not complete her ʿumrah to release herself from consecration before the hajj, the Prophet ordered her to declare her *iḥrām* for the hajj, which she did. As such, she added the hajj to the ʿumrah and her method of *iḥrām* became that of *qirān*.

The Prophet ordered ʿĀ'ishah to 'cancel' her ʿumrah. This does not mean to invalidate and abandon it. When a person enters into consecration, or *iḥrām*, to perform the ʿumrah or the hajj, such a person cannot abandon them by an intention to stop. One is released when one has completed the relevant duties. What the Prophet meant is to stop doing the duties of the ʿumrah, which are the *ṭawāf*, the *saʿī* and cutting one's hair. The Prophet (peace be upon him) ordered ʿĀ'ishah to leave these duties of the ʿumrah and to declare her *iḥrām* for the hajj, thus making her hajj in the *qirān* method. She would then attend at Arafat and fulfil all her duties except the *ṭawāf*, which should be delayed until she was free from menstruation. She did all this.

Scholars said that what confirms this understanding is that the Prophet said to her, in hadith No. 2535 'Stop your ʿumrah'. This understanding is clearly stated in the last of the hadiths quoting ʿĀ'ishah, No. 2554. This

hadith states that she declared her *iḥrām* for ʿumrah, but when she arrived in Makkah, she started her period before she could do the *ṭawāf* at the Kaʿbah. She then started her hajj and did all its duties. The Prophet said to her on the last day that her *ṭawāf* was sufficient for both her hajj and ʿumrah, but she refused. Therefore, he sent her with her brother, ʿAbd al-Raḥmān, to al-Tanʿīm where she started her ʿumrah after completing her hajj. The fact that the Prophet said to her that her *ṭawāf* 'was sufficient for both her hajj and ʿumrah' makes it clear that her ʿumrah remained valid and acceptable. It was not cancelled or abandoned. Therefore, the Prophet's instructions to her to 'leave your ʿumrah' must be understood as we have mentioned: that it means to stop doing its duties or not to complete it, but God knows best.

Hadith No. 2533 mentions that when ʿĀ'ishah went with her brother ʿAbd al-Raḥmān to start her ʿumrah at al-Tanʿīm, the Prophet said to her: 'This one is in place of your [earlier] ʿumrah'. This means that she wanted to undertake an ʿumrah that was separate from the hajj, like the other wives of the Prophet and his other Companions who changed their *iḥrām* from that of the hajj to make it one for ʿumrah, and then completed their ʿumrah, released themselves from consecration before the Tarwiyah Day, which falls on 8 Dhul-Ḥijjah, then re-started their *iḥrām* in Makkah on that day. Thus, they had the ʿumrah separate from their hajj. In ʿĀ'ishah's case, her ʿumrah was incorporated with her hajj, in the *qirān* method. This is the meaning of the Prophet's advice to her: 'Your *ṭawāf* is sufficient for your hajj and ʿumrah'. He meant that both were complete and credited to her. She, however, was not happy and wished to have a separate ʿumrah like the rest of the people. When she performed her ʿumrah after the hajj, the Prophet said to her: 'This one is in place of your earlier ʿumrah'. He meant in place of the one you wished to have separately from the hajj but could not do because of her menstruation. The same may be said about her own objection: 'All people go back having done a hajj and an ʿumrah while I go back with a hajj only!' She meant that the people had their two duties separate, while she would not have a separate ʿumrah. She was keen to perform the ʿumrah so that her actions would increase. This counters the view of those who claim that the *qirān* method is better, but God knows best.

The Prophet told ʿĀ'ishah to 'undo and comb your hair'. This does not necessarily mean invalidating the ʿumrah. Indeed, undoing one's hair and combing it are permissible during *iḥrām*, provided that they do not pluck any hair out. However, combing one's hair is discouraged unless there is a valid reason for it. Some scholars understand her action as required for a specific reason, which means that her head was hurting and the Prophet allowed her to comb her hair in the same way as he allowed Kaʿb ibn ʿUjrah to shave his head when he was troubled by insects. On the other hand, it is suggested that in this instance, 'combing' does not refer to actual usage of a comb but to go through her hair with her fingers as she took a bath before starting her *iḥrām* for the hajj. This was particularly necessary if she had fixed her hair in accordance with the sunnah and as the Prophet did. In this case, her bath would not be valid unless the water reached all her hair, and this required undoing it, but God knows best.

In hadith No. 2533 ʿĀ'ishah mentions: 'The ones who combined the hajj with the ʿumrah performed the *ṭawāf* once only'. This is clear evidence that a pilgrim who does the *qirān* method need perform only one *ṭawāf* for both his hajj and ʿumrah. He only does the duties of the hajj while all the duties of the ʿumrah become incorporated into the duties of the hajj. This is the view of al-Shāfiʿī, and it is reported from Ibn ʿUmar, Jābir, ʿĀ'ishah, Mālik, Ahmad, Isḥāq and Dāwūd. Abu Ḥanīfah, on the other hand, said that two *ṭawāfs* and two *saʿīs* are required. This is reported from ʿAlī ibn Abi Ṭālib, Ibn Masʿūd, al-Shaʿbī and al-Nakhaʿī, but God knows best.

In hadith No. 2535 ʿĀ'ishah reports: 'We set out with God's Mes-senger (peace be upon him) in the year of the Farewell Pilgrimage, and I started my *iḥrām* for ʿumrah… The Prophet said: "Whoever brought their sacrifice with them should declare the hajj with their ʿumrah. They must not release themselves from *iḥrām* until they can release themselves from both together".' *Qadi* ʿIyāḍ said:

> What is clear from the hadiths related in the two *Ṣaḥīḥ* anthologies of al-Bukhari and Muslim, as well as other anthologies, and narrated by ʿĀ'ishah, Jābir and others, is that the Prophet said this to them after they had declared their *iḥrām* for the hajj. According to ʿĀ'ishah, this was towards the end of their journey as they reached Sarif, near Makkah, but according to Jābir, it was after he performed

his *ṭawāf* at the Kaʿbah and the *saʿī* between al-Ṣafa and al-Marwah. It is also possible that he repeated his order at both places, and that the emphasis came last as he ordered them to change their *iḥrām* for the hajj and make it for the ʿumrah.

In hadith No. 2534 ʿĀ'ishah reports: 'We set out with God's Messenger (peace be upon him) in the year of the Farewell Pilgrimage. Some of us declared the ʿumrah and some declared the hajj. When we arrived in Makkah, God's Messenger said: "Those who started the *iḥrām* for ʿumrah and brought no sacrifice should release themselves from *iḥrām*. Those who started the *iḥrām* for ʿumrah and brought their sacrifice must not release themselves until they have slaughtered their sacrifice. Those who started their *iḥrām* for the hajj should continue their hajj".'

This hadith clearly provides evidence in support of the view of Abu Ḥanīfah, Ahmad and others that a person who opts for the *tamattuʿ* method of *iḥrām* and brings his sacrifice with him may not release himself from *iḥrām* after his ʿumrah until he has slaughtered his sacrifice on the Day of Sacrifice. By contrast, Mālik, al-Shāfiʿī and others say that such a person releases himself from *iḥrām* once he completes his *ṭawāf* and *saʿī* and cuts his hair, whether he has brought his sacrifice with him or not. Their argument is based on analogy with the one who has not brought any sacrifice. Such a person has completed the required duties, which means that all restrictions are removed, just like the one who declares the *iḥrām* for the hajj is released from all restrictions once the duties of hajj have been completed. They respond that this particular hadith gives a shortened version of the other narrations that Muslim mentions before and after it, attributed also to ʿĀ'ishah. In hadith No. 2533 she says: 'We set out with God's Messenger (peace be upon him) in the year of the Farewell Pilgrimage, and we declared our intention to perform the ʿumrah. Later, God's Messenger (peace be upon him) said: "Those who have brought their sacrifice with them should declare their intention to perform the hajj with the ʿumrah. They must not release themselves from *iḥrām* until they can release themselves from both together".' This narration explains what is omitted from the one Abu Ḥanīfah adopts as his evidence. It implies that the one who declares the *iḥrām* for ʿumrah, having brought the sacrifice, should add the hajj but cannot be released from *iḥrām* until slaughtering the

sacrifice. This understanding is necessary because the hadiths speak of the same case and they are narrated by the same person. Hence, the two reports must be taken together as we have mentioned, but God knows best.

In hadith No. 2535 the Prophet tells ʿĀ'ishah: 'Stop your ʿumrah'. This gives clear evidence that she did not invalidate her ʿumrah, but only stopped its duties and started the *iḥrām* for the hajj. Thus, she incorporated the duties of the ʿumrah with the hajj, as we have explained. This confirms the explanation we mentioned of his order to her: 'leave your ʿumrah'. What this means is to leave doing these duties, not to invalidate the ʿumrah altogether.

In hadith No. 2537 ʿĀ'ishah mentions that, on the Prophet's instructions, her brother, ʿAbd al-Raḥmān, 'took me behind him on his she-camel'. This serves as clear evidence that it is permissible that two people ride a single mount, if the mount is able to comfortably carry them. A number of authentic hadiths confirm this. It also shows that it is permissible for a man to take behind him on his mount a woman relative who is unlawful for him to marry and to be alone with her. This is unanimously agreed upon.

In hadith No. 2536 the Prophet said to his Companions: 'Whoever of you wishes to declare his *iḥrām* for the hajj and ʿumrah may do so, and whoever wishes to declare for the hajj may do so, and whoever wishes to declare for the ʿumrah may do so'. This confirms that all three methods are acceptable. Muslims are all in agreement on this, but they differ as to which of the three is preferable, as we explained earlier.

In hadith No. 2537 ʿĀ'ishah mentions 'the night of al-Ḥaṣbah'. This is the night that follows the days of Mina. It is given this name because the Prophet and his Companions left Mina, heading for Makkah, but stopped at a place called al-Muḥaṣṣab and stayed the night there. In this hadith, she says: 'We set out with God's Messenger (peace be upon him) for the Farewell Pilgrimage, shortly before the new moon of Dhul-Ḥijjah'. This means that they were expecting to sight it soon. They actually left Madinah five days before the start of Dhul-Ḥijjah, as clearly stated in a later hadith. Then ʿĀ'ishah mentions that the Prophet said: 'Whoever of you wishes to declare for the ʿumrah may do so. Had I not brought my sacrifice, I would have declared for the ʿumrah'. This statement is one piece of the evidence

cited by those who argue that the *tamattuʿ* method is preferable to the other two. This is the same as his other statement: ‘Were I to start again, I would not have brought my sacrifice with me’. The point in both statements is that the Prophet would not express a wish except for what is best.

Scholars who consider the *ifrād* method more preferable respond saying that the Prophet only said this because of stopping their *iḥrām* for the hajj and making it one for ʿumrah. This was a course open to them only in that particular year, so that their action would be contrary to that of the unbelievers. He was not speaking about the *tamattuʿ* method which is subject to controversy. He further wished to comfort his Companions who were not particularly pleased about changing their declaration for the hajj, as stated in later hadiths. He said this to them assuring them that he would have done the same, but because he had brought his sacrifice, that course of action was not open to him. Had he known of this right at the beginning, he would not have brought his sacrifice with him. Moreover, this hadith confirms that the Prophet did not do his hajj in the *tamattuʿ* method.

In the same hadith, ʿĀ’ishah says: ‘Thus God completed our hajj and ʿumrah. That did not involve sacrifice, charity or fasting [in compensation]’. This is understood to mean that she was speaking of herself and that she did not have to make any compensation in any of these forms. However, this remains problematic because her hajj was of the *qirān* type, and anyone who does the *qirān* or the *tamattuʿ* is required to slaughter a sheep. It is also possible to understand it as meaning that she did not commit any violation of the restrictions of *iḥrām*, such as using perfumes, covering her face, removing hair etc., which would have incurred some compensation of one type or another. This is the preferred understanding of this statement. *Qadi* ʿIyāḍ said: ‘This statement shows that she did the hajj in the *ifrād* method, because all scholars except Dāwūd al-Ẓāhirī agree that both the *tamattuʿ* and the *qirān* require a sacrifice, but Dāwūd says only the *tamattuʿ* requires it’.

In the hadith, the statement, ‘That did not involve sacrifice, charity or fasting [in compensation],’ appears to be ʿĀ’ishah’s statement, but hadith No. 2539 states that it is the narrator Hishām ibn ʿUrwah’s statement. Therefore, the first occurrence should be understood in light of the second,

which means that in the first occurrence, it is added to the hadith and is not part of it.

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i. Related by al-Bukhari, 319.

ii. Related by al-Bukhari, 1783; Ibn Mājah, 3000.

iii. Related by al-Bukhari, 1562, 4408; Abu Dāwūd, 1779, 1780; al-Nasā'ī, 2715; Ibn Mājah, 2965.

CHAPTER 17

METHODS OF *IḤRĀM* [CONTINUED]

[2541–119]. (Dar al-Salam 2772) Abu Bakr ibn Abi Shaybah, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated:[i] all from Ibn ʿUyaynah. ʿAmr said: Sufyān ibn ʿUyaynah narrated; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah. She said: **'We set out with God's Messenger (peace be upon him), and we thought of nothing other than the hajj. When we were at Sarif, or near it, I started my period. The Prophet came in and found me crying. He asked: "Are you in menstruation?" I said: "Yes". He said: "This is something God has ordained for all women. Do everything a pilgrim should do, except that you may not do the *ṭawāf* at the Kaʿbah until you have taken a bath [when your period is over]". God's Messenger sacrificed cows on behalf of his wives'.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَمْرٌو النَّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ عَمْرٌو حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَلاَ نُرَى إِلاَّ الْحَجَّ، حَتَّى إِذَا كُنَّا بِسَرِفَ أَوْ قَرِيبًا مِنْهَا حِضْتُ. فَدَخَلَ عَلَىَّ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا أَبْكِي. فَقَالَ: «أَنَفِسْتِ»؟ يَعْنِي الْحَيْضَةَ.

قَالتْ: قَلتُ نَعَمْ. قَالَ: «إِنّ هَذَا شَىْءٌ كَتَبَهُ اللهُ عَلى بَنَاتِ آدَمَ، فَاقْضِي مَا يَقْضِي الْحَاجُّ غَيْرَ أَنْ لاَ تَطُوفِي بِالْبَيْتِ، حَتَّى تَغْتَسِلِي». قَالَتْ: وَضَحَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ نِسَائِهِ بِالْبَقَرِ.

[2542–120]. (Dar al-Salam 2773) Sulaymān ibn ʿUbaydullāh Abu Ayyūb al-Ghaylānī narrated to me:[ii] Abu ʿĀmir ʿAbd al-Malik ibn ʿAmr narrated; ʿAbd al-ʿAzīz ibn Abi Salamah al-Mājishūn narrated; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah. She said: **'We set out with God's Messenger (peace be upon him), and we thought of nothing other than the hajj. When we were at Sarif, I started my period. The Prophet came in and found me crying. He asked: "Why are you crying?" I said: "By God, I wish I had not travelled this year". He said: "What is the matter? Perhaps you have started your period?" I said: "Yes". He said: "This is something God has ordained for all women. Do everything a pilgrim should do, except that you may not do the *ṭawāf* at the Kaʿbah until you have cleansed yourself". When we arrived in Makkah, God's Messenger said to his Companions: "Make it an ʿumrah". People released themselves from consecration, except those who had brought their sacrifice with them. The sacrifice was with the Prophet, Abu Bakr, ʿUmar and the ones who were well off. The people then restarted *iḥrām* when they left [for Mina]. On the Day of Sacrifice, I finished my period. God's Messenger commanded me, and I performed the *ṭawāf al-ifāḍah*. Some cow meat was brought to us, and I asked: "What is this?" They said: "God's Messenger sacrificed cows on behalf of his wives". On the night of al-Ḥaṣbah, I said: "Messenger of God, will people go back having done a hajj and an ʿumrah, and I go back [only] with a**

hajj?” He instructed ʿAbd al-Raḥmān ibn Abu Bakr, and he took me behind him on his camel. I remember, and I was still young, that I might be drowsy and my face would hit the back of the saddle. We arrived at al-Tanʿīm where I entered into a state of consecration, declaring for ʿumrah, in compensation for the ʿumrah other people performed’.

حَدَّثَنِي سُلَيْمَانُ بْنُ عُبَيْدِ اللهِ أَبُو أَيُّوبَ الْغَيْلاَنِيُّ، حَدَّثَنَا أَبُو عَامِرٍ عَبْدُ الْـمَلِكِ بْنُ عَمْرٍو، حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي سَلَمَةَ الْـمَاجِشُونُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، لاَ نَذْكُرُ إِلاَّ الْحَجَّ، حَتَّى جِئْنَا سَرِفَ فَطَمِثْتُ، فَدَخَلَ عَلَيَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا أَبْكِي. فَقَالَ: «مَا يُبْكِيكِ»؟ فَقُلْتُ: وَاللهِ لَوَدِدْتُ أَنِّي لَمْ أَكُنْ خَرَجْتُ الْعَامَ. قَالَ: «مَا لَكِ، لَعَلَّكِ نَفِسْتِ»؟ قُلْتُ نَعَمْ. قَالَ: «هَذَا شَيْءٌ كَتَبَهُ اللهُ عَلَى بَنَاتِ آدَمَ. افْعَلِي مَا يَفْعَلُ الْحَاجُّ، غَيْرَ أَنْ لاَ تَطُوفِي بِالْبَيْتِ حَتَّى تَطْهُرِي». قَالَتْ: فَلَمَّا قَدِمْتُ مَكَّةَ قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَصْحَابِهِ: «اجْعَلُوهَا عُمْرَةً». فَأَحَلَّ النَّاسُ إِلاَّ مَنْ كَانَ مَعَهُ الْهَدْيُ. قَالَتْ فَكَانَ الْهَدْيُ مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَبِي بَكْرٍ وَعُمَرَ، وَذَوِي الْيَسَارَةِ. ثُمَّ أَهَلُّوا حِينَ رَاحُوا. قَالَتْ فَلَمَّا كَانَ يَوْمُ النَّحْرِ طَهَرْتُ، فَأَمَرَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَأَفَضْتُ. قَالَتْ: فَأُتِينَا بِلَحْمِ بَقَرٍ. فَقُلْتُ: مَا هَذَا؟ فَقَالُوا: أَهْدَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ نِسَائِهِ الْبَقَرَ. فَلَمَّا كَانَتْ لَيْلَةُ الْحَصْبَةِ قُلْتُ: يَا رَسُولَ

اللهِ يَرْجِعُ النّاسُ بِحَجّةٍ وَعُمْرَةٍ، وَإِرْجِعُ بِحَجّةٍ؟ قَالتْ: فَأَمَرَ عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ فَأَرْدَفَنِي عَلَى جَمَلِهِ. قَالَتْ: فَإِنِّي لأَذْكُرُ، وَأَنَا جَارِيَةٌ حَدِيثَةُ السِّنِّ، أَنْعُسُ فَتُصِيبُ وَجْهِي مُؤْخِرَةُ الرَّحْلِ، حَتَّى جِئْنَا إِلَى التَّنْعِيمِ، فَأَهْلَلْتُ مِنْهَا بِعُمْرَةٍ جَزَاءً بِعُمْرَةِ النَّاسِ الَّتِي اعْتَمَرُوا.

[2543–121]. (Dar al-Salam 2774) Abu Ayyūb al-Ghaylānī nar-rated to me:[iii] Bahz narrated; Ḥammād narrated; from ʿAbd al-Raḥmān; from his father; from ʿĀ’ishah. She said: **‘We said the *talbiyah*, declaring for the hajj. When we arrived at Sarif, I started my period. God’s Messenger (peace be upon him) came in and I was crying…’. He narrated the hadith in similar terms to al-Mājishūn’s narration.**

Ḥammād’s narration does not include: **‘The sacrifice was with the Prophet, Abu Bakr, ʿUmar and the ones who were well off. The people then restarted *iḥrām* when they left [Makkah]’.** Nor does it include her words: **‘I was still young, that I might be drowsy and my face would hit the back of the saddle’.**

وَحَدَّثَنِي أَبُو أَيُّوبَ الْغَيْلاَنِيُّ، حَدَّثَنَا بَهْزٌ، حَدَّثَنَا حَمَّادٌ، عَنْ عَبْدِ الرَّحْمَنِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: لَبَّيْنَا بِالْحَجِّ حَتَّى إِذَا كُنَّا بِسَرِفَ حِضْتُ، فَدَخَلَ عَلَىَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا أَبْكِي. وَسَاقَ الْحَدِيثَ بِنَحْوِ حَدِيثِ الْـمَاجِشُونِ. غَيْرَ أَنَّ حَمَّادًا لَيْسَ فِي حَدِيثِهِ فَكَانَ الْهَدْىُ مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَبِي بَكْرٍ وَعُمَرَ وَذَوِي الْيَسَارَةِ. ثُمَّ أَهَلُّوا حِينَ رَاحُوا. وَلاَ

قَوْلِهَا: وَانَا جَارِيَةٌ حَدِيثَةُ السِّنِّ انْعُسُ فَتُصِيبُ وَجْهِي مُؤْخِرَةُ الرَّحْلِ.

[2544–122]. (Dar al-Salam 2775) Ismāʿīl ibn Abi Uways narrated:[iv] My maternal uncle, Mālik ibn Anas narrated to me [H]. Also, Yaḥyā ibn Yaḥyā narrated; he said: I read out to Mālik; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah; that **'God's Messenger (peace be upon him) did the *ifrād* hajj'.**

حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي أُوَيْسٍ، حَدَّثَنِي خَالِي مَالِكُ بْنُ أَنَسٍ ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى قَالَ: قَرَأْتُ عَلَى مَالِكٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَفْرَدَ الْحَجَّ.

[2545–123]. (Dar al-Salam 2776) Muhammad ibn ʿAbdullāh ibn Numayr narrated:[v] Isḥāq ibn Sulaymān narrated; from Aflaḥ ibn Ḥumayd; from al-Qāsim; from ʿĀ'ishah; she said: **'We set out with God's Messenger (peace be upon him) declaring our intention to do the hajj and this was in the hajj months, when the sanctities of the hajj apply and during the hajj nights. When we stopped at Sarif, the Prophet addressed his Companions saying: "Whoever of you who has not brought a sacrifice and wishes to make it an ʿumrah may do so. The ones who have brought their sacrifice may not". Some of those who did not have the sacrifice did so and some did not. God's Messenger (peace be upon him) had his sacrifice with him, and so did some of his Companions who had the ability. God's Messenger (peace be upon him) came in when I was crying. He**

asked: “Why are you crying?” I said: “I heard what you said to your Companions, and I heard about the ʿumrah (and I was prevented from offering the ʿumrah)”. He said: “Why is that?” I said: “I cannot pray”. He said: “There is no harm. Continue with your hajj. God may yet give it to you. You are one of Adam’s daughters and what God has ordained to them applies to you”. I continued with my hajj until we stopped at Mina where I cleansed myself. We then performed the *ṭawāf* at the Kaʿbah. The Prophet then stopped at al-Muḥaṣṣab. He called ʿAbd al-Raḥmān ibn Abu Bakr and said to him: “Take your sister out of the Ḥaram [area] so that she starts the ʿumrah. Then she should perform the *ṭawāf* at the Kaʿbah. I shall wait here for the two of you”. We went away, and I started my *iḥrām*, then did the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah. We joined God’s Messenger at his place in the middle of the night. He asked [me]: “Have you finished?” I said: “Yes”. He then made the announcement to his Companions to depart. He left, passing by the Kaʿbah where he did the *ṭawāf* before the Fajr Prayer, then left for Madinah’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللهِ بْنِ نُمَيْرٍ، حَدَّثَنَا إِسْحَاقُ بْنُ سُلَيْمَانَ، عَنْ أَفْلَحَ بْنِ حُمَيْدٍ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُهِلِّينَ بِالْحَجِّ، فِي أَشْهُرِ الْحَجِّ وَفِي حُرُمِ الْحَجِّ وَلَيَالِي الْحَجِّ، حَتَّى نَزَلْنَا بِسَرِفَ فَخَرَجَ إِلَى أَصْحَابِهِ فَقَالَ: «مَنْ لَمْ يَكُنْ مَعَهُ مِنْكُمْ هَدْيٌ فَأَحَبَّ أَنْ يَجْعَلَهَا عُمْرَةً فَلْيَفْعَلْ وَمَنْ كَانَ مَعَهُ هَدْيٌ فَلاَ». فَمِنْهُمُ الآخِذُ بِهَا وَالتَّارِكُ لَهَا مِمَّنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ. فَأَمَّا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَكَانَ مَعَهُ الْهَدْيُ، وَمَعَ رِجَالٍ مِنْ

اصْحَابِهِ لهُمْ قَوَّةٌ. فَدَخَلَ عَلىَّ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا أَبْكِي، فَقَالَ: «مَا يُبْكِيكِ»؟ قُلْتُ: سَمِعْتُ كَلاَمَكَ مَعَ أَصْحَابِكَ، فَسَمِعْتُ بِالْعُمْرَةِ، فَمُنِعْتُ الْعُمْرَةَ. قَالَ: «وَمَا لَكِ»؟ قُلْتُ لاَ أُصَلِّي . قَالَ: «فَلاَ يَضُرُّكِ، فَكُونِي فِي حَجِّكِ فَعَسَى اللهُ أَنْ يَرْزُقَكِيهَا. وَإِنَّمَا أَنْتِ مِنْ بَنَاتِ آدَمَ، كَتَبَ اللهُ عَلَيْكِ مَا كَتَبَ عَلَيْهِنَّ». قَالَتْ: فَخَرَجْتُ فِي حَجَّتِي حَتَّى نَزَلْنَا مِنًى، فَتَطَهَّرْتُ ثُمَّ طُفْنَا بِالْبَيْتِ. وَنَزَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْـمُحَصَّبَ. فَدَعَا عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ، فَقَالَ: «اخْرُجْ بِأُخْتِكَ مِنَ الْحَرَمِ، فَلْتُهِلَّ بِعُمْرَةٍ، ثُمَّ لْتَطُفْ بِالْبَيْتِ. فَإِنِّي أَنْتَظِرُكُمَا هَاهُنَا». قَالَتْ: فَخَرَجْنَا، فَأَهْلَلْتُ ثُمَّ طُفْتُ بِالْبَيْتِ، وَبِالصَّفَا وَالْـمَرْوَةِ. فَجِئْنَا رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ فِي مَنْزِلِهِ مِنْ جَوْفِ اللَّيْلِ. فَقَالَ: «هَلْ فَرَغْتِ»؟قُلْتُ نَعَمْ. فَآذَنَ فِي أَصْحَابِهِ بِالرَّحِيلِ، فَخَرَجَ فَمَرَّ بِالْبَيْتِ فَطَافَ بِهِ قَبْلَ صَلاَةِ الصُّبْحِ، ثُمَّ خَرَجَ إِلَى الْـمَدِينَةِ.

[2546–124]. (Dar al-Salam 2777-2778) Yaḥyā ibn Ayyūb narrated to me: ʿAbbād ibn ʿAbbād al-Muhallabī narrated; ʿUbaydullāh ibn ʿUmar narrated; from al-Qāsim ibn Muhammad; from ʿĀ’ishah, the Mother of the Believers. She said: **‘Some of us declared for the hajj alone, and others did the *qirān*, and others still the *tamattuʿ*’.**

حَدَّثَنِي يَحْيَى بْنُ أَيُّوبَ، حَدَّثَنَا عَبَّادُ بْنُ عَبَّادٍ الْـمُهَلَّبِيُّ، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ أُمِّ

الـمُؤْمِنِينَ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالتْ: مِنّا مَنْ اهَلّ بِالْحَجِّ مُفْرِدًا، وَمِنَّا مَنْ قَرَنَ، وَمِنَّا مَنْ تَمَتَّعَ.

ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr reported; Ibn Jurayj reported; ʿUbaydullāh ibn ʿUmar reported to me; from al-Qāsim ibn Muhammad; from ʿĀ’ishah, the Mother of the Believers. He said: **‘ʿĀ’ishah came for the hajj’**.

حَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ قَالَ: جَاءَتْ عَائِشَةُ حَاجَّة.

[2547–125]. (Dar al-Salam 2779–2780) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[vi] Sulaymān (meaning Ibn Bilāl); from Yaḥyā (who is Ibn Saʿīd); from ʿAmrah. She said: **‘I heard ʿĀ’ishah say: “We left with God’s Messenger (peace be upon him) when five days of Dhul-Qaʿdah were left, and we had no thought other than that it is for the hajj. When we were close to Makkah, God’s Messenger ordered those who did not have their sacrifice with them to release themselves from consecration after they had done the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah. On the Day of Sacrifice, we were brought cow meat. I asked: ‘What is this?’ I was told: ‘God’s Messenger sacrificed on behalf of his wives’.”’**

Yaḥyā said: **‘I related this hadith to al-Qāsim ibn Muhammad, and he said: “By God, she narrated you the hadith as it is”.’**

وَحَدّثَنَا عَبْدُ اللهِ بْنُ مَسْلمَةَ بْنِ قَعْنَبٍ، حَدّثَنَا سُلَيْمَانُ (يَعْنِي ابْنَ بِلاَلٍ)، عَنْ يَحْيَى (وَهُوَ ابْنُ سَعِيدٍ)، عَنْ عَمْرَةَ، قَالَتْ: سَمِعْتُ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا، تَقُولُ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِخَمْسٍ بَقِينَ مِنْ ذِي الْقَعْدَةِ، وَلاَ نُرَى إِلاَّ أَنَّهُ الْحَجُّ، حَتَّى إِذَا دَنَوْنَا مِنْ مَكَّةَ أَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ إِذَا طَافَ بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ أَنْ يَحِلَّ. قَالَتْ عَائِشَةُ رَضِىَ اللهُ عَنْهَا: فَدُخِلَ عَلَيْنَا يَوْمَ النَّحْرِ بِلَحْمِ بَقَرٍ، فَقُلْتُ: مَا هَذَا؟ فَقِيلَ: ذَبَحَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ أَزْوَاجِهِ.

قَالَ يَحْيَى: فَذَكَرْتُ هَذَا الْحَدِيثَ لِلْقَاسِمِ بْنِ مُحَمَّدٍ فَقَالَ: أَتَتْكَ وَاللهِ بِالْحَدِيثِ عَلَى وَجْهِهِ.

Muhammad ibn al-Muthannā narrated: ʿAbd al-Wahhāb nar-rated; he said: I heard Yaḥyā ibn Saʿīd say: ʿAmrah reported to me; that she heard ʿĀ’ishah [H]. Also, Ibn Abi ʿUmar narrated; Sufyān narrated; from Yaḥyā; with the same chain of transmission: **the same text.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الْوَهَّابِ قَالَ: سَمِعْتُ يَحْيَى بْنَ سَعِيدٍ يَقُولُ: أَخْبَرَتْنِي عَمْرَةُ، أَنَّهَا سَمِعَتْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا ح. وَحَدَّثَنَاهُ ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، عَنْ يَحْيَى، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2548–126]. (Dar al-Salam 2781) Abu Bakr ibn Abi Shaybah narrated:[vii] Ibn ʿUlayyah narrated; from Ibn ʿAwn; from Ibrāhīm;

from al-Aswad; from the Mother of the Believers [H]. Also, from al-Qāsim; from the Mother of the Believers. She said: **‘I said: “Messenger of God, all people will leave having done two duties and I leave having done only one?” He said: “Wait. When you have cleansed yourself, go to al-Tanʿīm and start your consecration there, then meet us at such-and-such place”. He said: “(I think he said: tomorrow), but it will be according to your effort (or he said: your spending)”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنِ ابْنِ عَوْنٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ أُمِّ الْـمُؤْمِنِينَ ح. وَعَنِ الْقَاسِمِ، عَنْ أُمِّ الْـمُؤْمِنِينَ، قَالَتْ: قُلْتُ يَا رَسُولَ اللهِ، يَصْدُرُ النَّاسُ بِنُسُكَيْنِ وَأَصْدُرُ بِنُسُكٍ وَاحِدٍ؟ قَالَ: «انْتَظِرِي فَإِذَا طَهَرْتِ فَاخْرُجِي إِلَى التَّنْعِيمِ، فَأَهِلِّي مِنْهُ، ثُمَّ الْقَيْنَا عِنْدَ كَذَا وَكَذَا. - قَالَ أَظُنُّهُ قَالَ غَدًا - وَلَكِنَّهَا عَلَى قَدْرِ نَصَبِكِ، أَوْ قَالَ: نَفَقَتِكِ.

[2549–127]. (Dar al-Salam 2782) Ibn al-Muthannā narrated: Ibn Abi ʿAdiy narrated; from Ibn ʿAwn; from al-Qāsim and Ibrāhīm; he said: I cannot distinguish the narration of either of them from that of the other; that the Mother of the Believers said: **‘Messenger of God, all people will leave having done two duties…’. He added the hadith.**

وَحَدَّثَنَا ابْنُ الْـمُثَنَّى، حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنِ ابْنِ عَوْنٍ، عَنِ الْقَاسِمِ، وَإِبْرَاهِيمَ، - قَالَ لاَ أَعْرِفُ حَدِيثَ أَحَدِهِمَا مِنَ الآخَرِ - أَنَّ أُمَّ الْـمُؤْمِنِينَ، رَضِىَ اللهُ عَنْهَا، قَالَتْ: يَا رَسُولَ اللَهِ يَصْدُرُ النَّاسُ بِنُسُكَيْنِ... فَذَكَرَ الْحَدِيثَ.

[2550–128]. (Dar al-Salam 2783) Zuhayr ibn Ḥarb and Isḥāq ibn Ibrāhīm narrated:[viii] Jarīr (Zuhayr said: ‘narrated’ while Isḥāq said: ‘reported’); from Manṣūr; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘We left with God’s Messenger (peace be upon him) and we had no thought other than that it was for the hajj. When we arrived in Makkah, we performed the *ṭawāf* at the Kaʿbah. God’s Messenger (peace be upon him) ordered those who did not bring their sacrifice to release themselves from consecration. Therefore, those who did not bring their sacrifice released themselves. His wives did not bring their sacrifice and they released themselves’. ʿĀ’ishah said: ‘I was having my period and, therefore I did not do the *ṭawāf* at the Kaʿbah. On the night of al-Ḥaṣbah, I said: “Messenger of God, will the people go back having done the ʿumrah and the hajj while I go back having done the hajj?” He said: “Did you not do the *ṭawāf* on the nights when we arrived in Makkah?” I said: “No”. He said: “Then go with your brother to al-Tanʿīm and declare [your *iḥrām*] for the ʿumrah. Then meet us at such-and-such place”.**

Ṣafiyyah [another of the Prophet’s wives] said: “I shall be detaining you”. He [the Prophet] said: “Barren and shaved! Did you not do the *ṭawāf* on the Day of Sacrifice?” She said: “I did”. He said: “No harm. You may leave”.’

ʿĀ’ishah said: ‘God’s Messenger (peace be upon him) met me when he was going up to Makkah and I was going down to it; or when I was going up and he was going down to it’.

حَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، (قَالَ زُهَيْرٌ حَدَّثَنَا وَقَالَ إِسْحَاقُ أَخْبَرَنَا) جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِىَ اللهُ عَنْهَا،

قَالتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ وَلاَ نَرَى إِلاَّ أَنَّهُ الْحَجُّ. فَلَمَّا قَدِمْنَا مَكَّةَ تَطَوَّفْنَا بِالْبَيْتِ، فَأَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَنْ لَمْ يَكُنْ سَاقَ الْهَدْيَ أَنْ يَحِلَّ. قَالَتْ: فَحَلَّ مَنْ لَمْ يَكُنْ سَاقَ الْهَدْيَ، وَنِسَاؤُهُ لَمْ يَسُقْنَ الْهَدْيَ فَأَحْلَلْنَ. قَالَتْ عَائِشَةُ: فَحِضْتُ، فَلَمْ أَطُفْ بِالْبَيْتِ. فَلَمَّا كَانَتْ لَيْلَةُ الْحَصْبَةِ - قَالَتْ – قُلْتُ: يَا رَسُولَ اللهِ، يَرْجِعُ النَّاسُ بِعُمْرَةٍ وَحَجَّةٍ وَأَرْجِعُ أَنَا بِحَجَّةٍ؟ قَالَ: «أَوَمَا كُنْتِ طُفْتِ لَيَالِيَ قَدِمْنَا مَكَّةَ»؟قَالَتْ: قُلْتُ لا. قَالَ: «فَاذْهَبِي مَعَ أَخِيكِ إِلَى التَّنْعِيمِ، فَأَهِلِّي بِعُمْرَةٍ، ثُمَّ مَوْعِدُكِ مَكَانَ كَذَا وَكَذَا».

قَالَتْ صَفِيَّةُ: مَا أُرَانِي إِلاَّ حَابِسَتَكُمْ. قَالَ: «عَقْرَى حَلْقَى! أَوَمَا كُنْتِ طُفْتِ يَوْمَ النَّحْرِ»؟ قَالَتْ بَلَى. قَالَ: «لاَ بَأْسَ، انْفِرِي».

قَالَتْ عَائِشَةُ فَلَقِيَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُصْعِدٌ مِنْ مَكَّةَ وَأَنَا مُنْهَبِطَةٌ عَلَيْهَا، أَوْ أَنَا مُصْعِدَةٌ وَهُوَ مُنْهَبِطٌ مِنْهَا. وَقَالَ إِسْحَاقُ مُتَهَبِّطَةٌ وَمُتَهَبِّطٌ.

[2551–129]. (Dar al-Salam 2784) Suwayd ibn Saʿīd narrated:[ix] from ʿAlī ibn Mushir; from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘We set out with God’s Messenger (peace be upon him) saying the *talbiyah*, mentioning neither the hajj nor the ʿumrah…’. He narrated the hadith in the same meaning as Manṣūr’s narration.**

وَحَدَّثَنَاهُ سُوَيْدُ بْنُ سَعِيدٍ، عَنْ عَلِيِّ بْنِ مُسْهِرٍ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نُلَبِّي، لاَ نَذْكُرُ حَجًّا وَلاَ عُمْرَةً. وَسَاقَ الْحَدِيثَ بِمَعْنَى حَدِيثِ مَنْصُورٍ.

[2552–130]. (Dar al-Salam 2785) Abu Bakr ibn Abi Shaybah, Muhammad ibn al-Muthannā and Ibn Bashshār narrated: all from Ghundar; Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from al-Ḥakam; from ʿAlī ibn al-Ḥusayn; from Dhakwān, ʿĀ’ishah’s *mawlā*; from ʿĀ’ishah; that she said: **‘God’s Messenger (peace be upon him) came on the fourth or the fifth of Dhul-Ḥijjah and entered my place, and he was angry. I said: “Who has angered you, Messenger of God? May God put him in the Fire”. He said: “Have you not realised that I ordered people to do something, and they are reluctant [to do it]?” (Al-Ḥakam said: seemingly reluctant, I think.) Were I to start afresh, I would not bring my sacrifice with me so that I can buy it. I would have then released myself as they did”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَمُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ جَمِيعًا عَنْ غُنْدَرٍ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، عَنْ عَلِيِّ بْنِ الْحُسَيْنِ، عَنْ ذَكْوَانَ مَوْلَى عَائِشَةَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّهَا قَالَتْ: قَدِمَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَرْبَعٍ مَضَيْنَ مِنْ ذِي الْحِجَّةِ أَوْ خَمْسٍ، فَدَخَلَ عَلَيَّ وَهُوَ غَضْبَانُ، فَقُلْتُ: مَنْ أَغْضَبَكَ يَا رَسُولَ اللهِ أَدْخَلَهُ اللهُ النَّارَ. قَالَ: «أَوَمَا شَعَرْتِ أَنِّي أَمَرْتُ النَّاسَ بِأَمْرٍ، فَإِذَا

هُمْ يَتَرَدَّدُونَ؟ قَالَ الْحَكَمُ: كَأَنَّهُمْ يَتَرَدَّدُونَ، احْسِبُ - وَلَوْ أَنِّي اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ، مَا سُقْتُ الْهَدْىَ مَعِي حَتَّى أَشْتَرِيَهُ، ثُمَّ أَحِلُّ كَمَا حَلُّوا».

[2553–131]. (Dar al-Salam 2786) ʿUbaydullāh ibn Muʿādh narrated: my father narrated; Shuʿbah narrated; from al-Ḥakam; He heard ʿAlī ibn al-Ḥusayn; from Dhakwān; from ʿĀ’ishah. She said: **‘The Prophet came on the fourth or the fifth of Dhul-Ḥijjah…’ the same text as Ghundar’s but did not mention al-Ḥakam’s doubt concerning their reluctance.**

وَحَدَّثَنَاهُ عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، سَمِعَ عَلِيَّ بْنَ الْحُسَيْنِ، عَنْ ذَكْوَانَ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: قَدِمَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَرْبَعٍ أَوْ خَمْسٍ مَضَيْنَ مِنْ ذِي الْحِجَّةِ. بِمِثْلِ حَدِيثِ غُنْدَرٍ، وَلَمْ يَذْكُرِ الشَّكَّ مِنَ الْحَكَمِ فِي قَوْلِهِ يَتَرَدَّدُونَ.

[2554–132]. (Dar al-Salam 2787) Muhammad ibn Ḥātim narrated to me: Bahz narrated; Wuhayb narrated; ʿAbdullāh ibn Ṭāwūs; from his father; from ʿĀ’ishah; that **‘She started her consecration declaring for ʿumrah. She arrived but did not perform the *ṭawāf* at the Kaʿbah because she was having her period. She did all the duties after having declared for the hajj. On the day of departure, the Prophet said to her: “Your *ṭawāf* is sufficient for your hajj and ʿumrah”, but she did not accept. He sent her with ʿAbd al-Raḥmān to al-Tanʿīm and she performed the ʿumrah after the hajj’.**

حَدّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدّثَنَا بَهْزٌ، حَدّثَنَا وُهَيْبٌ، حَدّثَنَا عَبْدُ اللهِ بْنُ طَاوُسٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّهَا أَهَلَّتْ بِعُمْرَةٍ. فَقَدِمَتْ وَلَمْ تَطُفْ بِالْبَيْتِ، حَتَّى حَاضَتْ فَنَسَكَتِ الْـمَنَاسِكَ كُلَّهَا، وَقَدْ أَهَلَّتْ بِالْحَجِّ. فَقَالَ لَهَا النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَوْمَ النَّفْرِ: «يَسَعُكِ طَوَافُكِ لِحَجِّكِ وَعُمْرَتِكِ». فَأَبَتْ، فَبَعَثَ بِهَا مَعَ عَبْدِ الرَّحْمَنِ إِلَى التَّنْعِيمِ، فَاعْتَمَرَتْ بَعْدَ الْحَجِّ.

[2555–133]. (Dar al-Salam 2788) Ḥasan ibn ʿAlī al-Ḥulwānī narrated to me: Zayd ibn al-Ḥubāb narrated; Ibrāhīm ibn Nāfiʿ narrated to me; ʿAbdullāh ibn Abi Najīḥ narrated to me; from Mujāhid; from ʿĀ’ishah; that **‘She started her period at Sarif, and she cleansed herself at Arafat. God’s Messenger said to her: “Your *ṭawāf* at al-Ṣafa and al-Marwah is sufficient for your hajj and ʿumrah”.’**

وَحَدَّثَنِي حَسَنُ بْنُ عَلِيٍّ الْحُلْوَانِيُّ، حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، حَدَّثَنِي إِبْرَاهِيمُ بْنُ نَافِعٍ، حَدَّثَنِي عَبْدُ اللهِ بْنُ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، أَنَّهَا حَاضَتْ بِسَرِفَ، فَتَطَهَّرَتْ بِعَرَفَةَ. فَقَالَ لَهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «يُجْزِئُ عَنْكِ طَوَافُكِ بِالصَّفَا وَالْـمَرْوَةِ عَنْ حَجِّكِ وَعُمْرَتِكِ».

[2556–134]. (Dar al-Salam 2789) Yaḥyā ibn Ḥabīb al-Ḥārithī narrated:[x] Khālid ibn al-Ḥārith narrated; Qurrah narrated; ʿAbd al-Ḥamīd ibn Jubayr ibn Shaybah narrated; Ṣafiyyah bint Shaybah narrated; she said: **‘ʿĀ’ishah said: “Messenger of God, will people go back having earned two rewards and I go back with**

one reward?” The Prophet ordered ʿAbd al-Raḥmān ibn Abu Bakr to take her to al-Tanʿīm. She said: “He took me behind him on his camel. I lifted my head covering off my neck, and he struck my leg as though striking the camel. I said to him: ‘Do you see anyone around?’ I started my consecration for ʿumrah, and we proceeded until we reached God’s Messenger as he was at al-Ḥaṣbah”.’

وَحَدَّثَنَا يَحْيَى بْنُ حَبِيبٍ الْحَارِثِيُّ، حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ، حَدَّثَنَا قُرَّةُ، حَدَّثَنَا عَبْدُ الْحَمِيدِ بْنُ جُبَيْرِ بْنِ شَيْبَةَ، حَدَّثَتْنَا صَفِيَّةُ بِنْتُ شَيْبَةَ قَالَتْ: قَالَتْ عَائِشَةُ رَضِيَ اللهُ عَنْهَا: يَا رَسُولَ اللهِ، أَيَرْجِعُ النَّاسُ بِأَجْرَيْنِ وَأَرْجِعُ بِأَجْرٍ؟ فَأَمَرَ عَبْدَ الرَّحْمَنِ بْنَ أَبِي بَكْرٍ أَنْ يَنْطَلِقَ بِهَا إِلَى التَّنْعِيمِ. قَالَتْ: فَأَرْدَفَنِي خَلْفَهُ عَلَى جَمَلٍ لَهُ – قَالَتْ: فَجَعَلْتُ أَرْفَعُ خِمَارِي أَحْسُرُهُ عَنْ عُنُقِي، فَيَضْرِبُ رِجْلِي بِعِلَّةِ الرَّاحِلَةِ. قُلْتُ لَهُ: وَهَلْ تَرَى مِنْ أَحَدٍ؟ قَالَتْ: فَأَهْلَلْتُ بِعُمْرَةٍ، ثُمَّ أَقْبَلْنَا، حَتَّى انْتَهَيْنَا إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ بِالْحَصْبَةِ.

[2557–135]. (Dar al-Salam 2790) Abu Bakr ibn Abi Shaybah and Ibn Numayr narrated:[xi] both said: Sufyān narrated; from ʿAmr; that ʿAmr ibn Aws reported to him; ʿAbd al-Raḥmān ibn Abu Bakr reported to me; that **‘The Prophet ordered him to take ʿĀ’ishah behind him to start her ʿumrah at al-Tanʿīm’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَابْنُ نُمَيْرٍ قَالا: حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرٍو، أَخْبَرَهُ عَمْرُو بْنُ أَوْسٍ، أَخْبَرَنِي عَبْدُ

الرَّحْمَنِ بْنُ ابِي بَكرٍ، انّ النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلمَ أَمَرَهُ أَنْ يُرْدِفَ عَائِشَةَ، فَيُعْمِرَهَا مِنَ التَّنْعِيمِ.

[2558–136]. (Dar al-Salam 2791) Qutaybah ibn Saʿīd and Muhammad ibn Rumḥ narrated:[xii] both from al-Layth ibn Saʿd; Qutaybah said: Layth narrated to me; from Abu al-Zubayr; from Jābir; that he said: **‘We came with God’s Messenger (peace be upon him) declaring our consecration for the hajj alone. ʿĀ’ishah (may God be pleased with her) came declaring for ʿumrah. When we were at Sarif, she started her period. When we arrived [at Makkah] we performed the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah. God’s Messenger (peace be upon him) ordered that those of us who did not bring their sacrifice with them should release themselves from consecration. We said: “What release?” He said: “The full release”. We were intimate with our wives, wore perfume and put on our ordinary clothes. Yet only four nights separated us for the Day of Arafat. Then we re-entered into consecration on the Day of al-Tarwiyah. God’s Messenger went to ʿĀ’ishah’s place and found her crying. He asked: “What is the matter with you?” She said: “The matter with me is that I started my period, and the people released themselves from *iḥrām*, but I did not. Nor did I do the *ṭawāf* at the Kaʿbah, and now they are going for the hajj”. He said: “This is something that God has created all Adam’s daughters with. Take a bath and declare your *iḥrām* for the hajj”. She did so and fulfilled all the duties. When she finished her period, she performed the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah. He then said [to her]: “You have released yourself from both your hajj and your ʿumrah together”. She said: “Messenger of God, I feel sad that I did not do the *ṭawāf* at the Kaʿbah until I performed the**

hajj”. He said: “Take her, ʿAbd al-Raḥmān, to al-Tanʿīm and let her do her ʿumrah”. That was on the night of al-Ḥaṣbah’.

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، وَمُحَمَّدُ بْنُ رُمْحٍ، جَمِيعًا عَنِ اللَّيْثِ بْنِ سَعْدٍ. قَالَ قُتَيْبَةُ: حَدَّثَنَا لَيْثٌ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، رَضِيَ اللهُ عَنْهُ، أَنَّهُ قَالَ: أَقْبَلْنَا مُهِلِّينَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِحَجٍّ مُفْرَدٍ، وَأَقْبَلَتْ عَائِشَةُ، رَضِيَ اللهُ عَنْهَا، بِعُمْرَةٍ حَتَّى إِذَا كُنَّا بِسَرِفَ عَرَكَتْ، حَتَّى إِذَا قَدِمْنَا طُفْنَا بِالْكَعْبَةِ وَالصَّفَا وَالْـمَرْوَةِ. فَأَمَرَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَحِلَّ مِنَّا مَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ. قَالَ: فَقُلْنَا: حِلٌّ مَاذَا؟ قَالَ: «الْحِلُّ كُلُّهُ». فَوَاقَعْنَا النِّسَاءَ، وَتَطَيَّبْنَا بِالطِّيبِ، وَلَبِسْنَا ثِيَابَنَا، وَلَيْسَ بَيْنَنَا وَبَيْنَ عَرَفَةَ إِلاَّ أَرْبَعُ لَيَالٍ. ثُمَّ أَهْلَلْنَا يَوْمَ التَّرْوِيَةِ. ثُمَّ دَخَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَى عَائِشَة، رَضِيَ اللهُ عَنْهَا، فَوَجَدَهَا تَبْكِي، فَقَالَ: «مَا شَأْنُكِ»؟قَالَتْ: شَأْنِي أَنِّي قَدْ حِضْتُ، وَقَدْ حَلَّ النَّاسُ وَلَمْ أَحْلِلْ، وَلَمْ أَطُفْ بِالْبَيْتِ. وَالنَّاسُ يَذْهَبُونَ إِلَى الْحَجِّ الآنَ. فَقَالَ: «إِنَّ هَذَا أَمْرٌ كَتَبَهُ اللهُ عَلَى بَنَاتِ آدَمَ فَاغْتَسِلِي ثُمَّ أَهِلِّي بِالْحَجِّ». فَفَعَلَتْن وَوَقَفَتِ الْـمَوَاقِفَ حَتَّى إِذَا طَهَرَتْ طَافَتْ بِالْكَعْبَةِ وَالصَّفَا وَالْـمَرْوَةِ. ثُمَّ قَالَ: «قَدْ حَلَلْتِ مِنْ حَجِّكِ وَعُمْرَتِكِ جَمِيعًا». فَقَالَتْ: يَا رَسُولَ اللهِ، إِنِّي أَجِدُ فِي نَفْسِي أَنِّي لَمْ أَطُفْ بِالْبَيْتِ حَتَّى حَجَجْتُ. قَالَ: «فَاذْهَبْ بِهَا يَا عَبْدَ الرَّحْمَنِ فَأَعْمِرْهَا مِنَ التَّنْعِيمِ». وَذَلِكَ لَيْلَةَ الْحَصْبَةِ.

[2559–000]. (Dar al-Salam 2792) Muhammad ibn Ḥātim and ʿAbd ibn Ḥumayd narrated to me:[xiii] Muhammad ibn Bakr (Ibn Ḥātim said: ‘narrated’ and ʿAbd said: ‘reported’); Ibn Jurayj reported; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘The Prophet (peace be upon him) went into ʿĀ’ishah’s place and she was crying…’. He mentioned the same text as al-Layth’s narration to the end, but he did not mention what came before this of al-Layth’s narration.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، وَعَبْدُ بْنُ حُمَيْدٍ، (قَالَ ابْنُ حَاتِمٍ حَدَّثَنَا وَقَالَ عَبْدٌ أَخْبَرَنَا) مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ: دَخَلَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَى عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، وَهْيَ تَبْكِي... فَذَكَرَ بِمِثْلِ حَدِيثِ اللَّيْثِ إِلَى آخِرِهِ، وَلَمْ يَذْكُرْ مَا قَبْلَ هَذَا مِنْ حَدِيثِ اللَّيْثِ.

[2560–137]. (Dar al-Salam 2793) Abu Ghassān al-Mismaʿī narrated to me: Muʿādh (meaning Ibn Hishām) narrated; my father narrated; from Maṭar; from Abu al-Zubayr; from Jābir ibn ʿAbdullāh; that **‘ʿĀ’ishah started her consecration when she accompanied the Prophet on his hajj declaring for ʿumrah…’. He narrated the hadith giving the same meaning as al-Layth’s narration but added at the end: ‘God’s Messenger was an easy man. When she wished for something, he would gratify her. He, therefore, sent her with ʿAbd al-Raḥmān ibn Abu Bakr and she started an ʿumrah from al-Tanʿīm’.**

Maṭar said: Abu al-Zubayr said: ‘**Whenever ʿĀ’ishah performed the hajj afterwards, she did exactly as she did when she**

was with the Prophet’.

وَحَدَّثَنِي أَبُو غَسَّانَ الْـمِسْمَعِيُّ، حَدَّثَنَا مُعَاذٌ (يَعْنِي ابْنَ هِشَامٍ)، حَدَّثَنِي أَبِي، عَنْ مَطَرٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، أَنَّ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، فِي حَجَّةِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَهَلَّتْ بِعُمْرَةٍ. وَسَاقَ الْحَدِيثَ بِمَعْنَى حَدِيثِ اللَّيْثِ، وَزَادَ فِي الْحَدِيثِ قَالَ: وَكَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَجُلاً سَهْلاً، إِذَا هَوِيَتِ الشَّىْءَ تَابَعَهَا عَلَيْهِ. فَأَرْسَلَهَا مَعَ عَبْدِ الرَّحْمَنِ بْنِ أَبِي بَكْرٍ، فَأَهَلَّتْ بِعُمْرَةٍ مِنَ التَّنْعِيمِ.

قَالَ مَطَرٌ: قَالَ أَبُو الزُّبَيْرِ: فَكَانَتْ عَائِشَةُ إِذَا حَجَّتْ صَنَعَتْ كَمَا صَنَعَتْ مَعَ نَبِيِّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2561–138]. (Dar al-Salam 2794) Ahmad ibn Yūnus narrated: Zuhayr narrated; Abu al-Zubayr narrated; from Jābir [H]. Also, Yaḥyā ibn Yaḥyā narrated (his text); Abu Khaythamah reported; from Abu al-Zubayr; from Jābir. He said: **‘We set out with God’s Messenger (peace be upon him) declaring for the hajj, and we had our women and children with us. When we arrived in Makkah, we performed the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah. God’s Messenger (peace be upon him) said to us: “Those who have not brought their sacrifice with them may release themselves from consecration”. We asked: “Which release”. He said: “The full release”. We had intercourse with our wives, wore our ordinary clothes and applied perfume. Then on the Day of al-Tarwiyah [i.e., 8 Dhul-Ḥijjah] we entered into consecration, declaring for the hajj. The first *ṭawāf* between al-Ṣafa and al-Marwah was sufficient**

for us. God’s Messenger ordered us to join together in sacrificing camels and cows, one for every seven of us’.

حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ، حَدَّثَنَا زُهَيْرٌ، حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرٍ، رَضِيَ اللهُ عَنْهُ ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا أَبُو خَيْثَمَةَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، رَضِيَ اللهُ عَنْهُ، قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مُهِلِّينَ بِالْحَجِّ، مَعَنَا النِّسَاءُ وَالْوِلْدَانُ. فَلَمَّا قَدِمْنَا مَكَّةَ، طُفْنَا بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ. فَقَالَ لَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ فَلْيَحْلِلْ». قَالَ قُلْنَا: أَيُّ الْحِلِّ؟ قَالَ: «الْحِلُّ كُلُّهُ». قَالَ: فَأَتَيْنَا النِّسَاءَ، وَلَبِسْنَا الثِّيَابَ، وَمَسِسْنَا الطِّيبَ. فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ أَهْلَلْنَا بِالْحَجِّ، وَكَفَانَا الطَّوَافُ الأَوَّلُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. فَأَمَرَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ نَشْتَرِكَ فِي الإِبِلِ وَالْبَقَرِ، كُلُّ سَبْعَةٍ مِنَّا فِي بَدَنَةٍ.

[2562–139]. (Dar al-Salam 2795) Muhammad ibn Ḥātim narrated to me: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Abu al-Zubayr reported to me; from Jābir ibn ʿAbdullāh. He said: **‘When we released ourselves from consecration, the Prophet (peace be upon him) ordered us to restart consecration when we set out for Mina. Therefore, we started our *iḥrām* at al-Abṭaḥ’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: أَمَرَنَا النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا

احْلِلنَا انْ نُحْرِمَ إِذَا تَوَجّهْنَا إِلى مِنًى. قَالَ: فَاهْللنَا مِنَ الأَبْطَحِ.

[2563–140]. (Dar al-Salam 2796) Muhammad ibn Ḥātim narrated to me:[xiv] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj [H]. Also, ʿAbd ibn Ḥumayd narrated; Muhammad ibn Bakr reported; Ibn Jurayj reported; he said: Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘The Prophet (peace be upon him) and his Companions did not do the *saʿī* between al-Ṣafa and al-Marwah except once’.**

Muhammad ibn Bakr’s narration adds: **‘his first *saʿi*’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ ح. وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، قَالَ أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ، رَضِىَ اللهُ عَنْهُمَا، يَقُولُ: لَمْ يَطُفِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَلاَ أَصْحَابُهُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ إِلاَّ طَوَافًا وَاحِدًا. زَادَ فِي حَدِيثِ مُحَمَّدِ بْنِ بَكْرٍ طَوَافَهُ الأَوَّلَ.

[2564–141]. (Dar al-Salam 2797) Muhammad ibn Ḥātim nar-rated to me:[xv] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; ʿAṭā’ reported to me. He said: **‘I and a group of people with me heard Jābir ibn ʿAbdullāh say: “We, the Companions of Muhammad (peace be upon him), entered into consecration declaring for the hajj only”. ʿAṭā’ said that Jābir said: “The Prophet (peace be upon him) arrived in the morning of the fourth day of Dhul-Ḥijjah and ordered us to release ourselves from consecration”. ʿAṭā’ said that he said: “Release yourselves and be intimate with**

your wives”. ʿAṭā’ said: “He did not urge them but said that it was lawful for them”. We thought: “When only five days separate us from the Day of Arafat, he tells us to be intimate with our wives! We arrive at Arafat with our organs dripping with semen!” He said: “Jābir was moving his hand [as he said this] (and I can almost see him moving his hand)”. Jābir said: “The Prophet (peace be upon him) addressed us and said: ‘You know that I am the most God-fearing, the most truthful and the most pious among you. Had it not been for my sacrifice I would have released myself as you do. Were I to start afresh, I would not bring my sacrifice. Release yourself from consecration’. We listened, obeyed and released ourselves”.

ʿAṭā’ said that Jābir said: “ʿAlī came from his mission. The Prophet asked him: ‘How did you start your consecration?’ He said: ‘The same as the Prophet’. God’s Messenger (peace be upon him) said to him: ‘Then keep your sacrifice and stay in consecration’. ʿAlī gifted him some sacrificial animals. Surāqah ibn Mālik ibn Juʿshum said: ‘Messenger of God, is this for this year of ours or forever?’ The Prophet said: ‘Forever’.”’

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي عَطَاءٌ، قَالَ سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، فِي نَاسٍ مَعِي. قَالَ: أَهْلَلْنَا أَصْحَابَ مُحَمَّدٍ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ خَالِصًا وَحْدَهُ. قَالَ عَطَاءٌ: قَالَ جَابِرٌ: فَقَدِمَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ صُبْحَ رَابِعَةٍ مَضَتْ مِنْ ذِي الْحِجَّةِ، فَأَمَرَنَا أَنْ نَحِلَّ. قَالَ عَطَاءٌ قَالَ: «حِلُّوا وَأَصِيبُوا النِّسَاءَ”. قَالَ عَطَاءٌ: وَلَمْ يَعْزِمْ عَلَيْهِمْ، وَلَكِنْ أَحَلَّهُنَّ لَهُمْ. فَقُلْنَا: لَمَّا لَمْ يَكُنْ بَيْنَنَا وَبَيْنَ عَرَفَةَ إِلاَّ خَمْسٌ أَمَرَنَا أَنْ نُفْضِيَ إِلَى نِسَائِنَا، فَنَأْتِيَ

عَرَفَةَ تَقْطرُ مَذَاكِيرُنَا الـمَنِيَّ! قَالَ يَقُولَ جَابِرٌ بِيَدِهِ - كَأَنِّي أَنْظُرُ إِلَى قَوْلِهِ بِيَدِهِ يُحَرِّكُهَا – قَالَ: فَقَامَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِينَا، فَقَالَ: «قَدْ عَلِمْتُمْ أَنِّي أَتْقَاكُمْ لِلَّهِ، وَأَصْدَقُكُمْ وَأَبَرُّكُمْ. وَلَوْلاَ هَدْيِي لَحَلَلْتُ كَمَا تَحِلُّونَ. وَلَوِ اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ لَمْ أَسُقِ الْهَدْيَ، فَحِلُّوا». فَحَلَلْنَا، وَسَمِعْنَا وَأَطَعْنَا.

قَالَ عَطَاءٌ: قَالَ جَابِرٌ: فَقَدِمَ عَلِيٌّ مِنْ سِعَايَتِهِ، فَقَالَ: «بِمَ أَهْلَلْتَ»؟قَالَ: بِمَا أَهَلَّ بِهِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَقَالَ لَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «فَأَهْدِ، وَامْكُثْ حَرَامًا». قَالَ: وَأَهْدَى لَهُ عَلِيٌّ هَدْيًا. فَقَالَ سُرَاقَةُ بْنُ مَالِكِ بْنِ جُعْشُمٍ: يَا رَسُولَ اللهِ، أَلِعَامِنَا هَذَا أَمْ لأَبَدٍ؟ فَقَالَ: «لأَبَدٍ».

[2565–142]. (Dar al-Salam 2798) Ibn Numayr narrated: my father narrated to me; ʿAbd al-Malik ibn Abi Sulaymān narrated; from ʿAṭā’; from Jābir ibn ʿAbdullāh. He said: **‘We were with God’s Messenger and started our consecration declaring for the hajj. When we arrived in Makkah, he ordered us to release ourselves for *iḥrām* and make it an ʿumrah. We felt that too grave and we were uneasy about it. The Prophet was informed. We do not know whether something was revealed to him from on high or he was informed by people. He said: “People, release yourselves. Were it not for the sacrifice I have brought with me, I would have done the same as you”. We released ourselves from consecration to the extent that we even had intercourse with our wives. We did the same as people who are not in**

***iḥrām*. On the Day of al-Tarwiyah and when Makkah was behind us, we started for the hajj'.**

حَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنِي أَبِي، حَدَّثَنَا عَبْدُ الْـمَلِكِ بْنُ أَبِي سُلَيْمَانَ، عَنْ عَطَاءٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: أَهْلَلْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ. فَلَمَّا قَدِمْنَا مَكَّةَ أَمَرَنَا أَنْ نَحِلَّ وَنَجْعَلَهَا عُمْرَةً، فَكَبُرَ ذَلِكَ عَلَيْنَا، وَضَاقَتْ بِهِ صُدُورُنَا. فَبَلَغَ ذَلِكَ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَمَا نَدْرِي أَشَيْءٌ بَلَغَهُ مِنَ السَّمَاءِ أَمْ شَيْءٌ مِنْ قِبَلِ النَّاسِ، فَقَالَ: «أَيُّهَا النَّاسُ، أَحِلُّوا. فَلَوْلاَ الْهَدْيُ الَّذِي مَعِي فَعَلْتُ كَمَا فَعَلْتُمْ». قَالَ: فَأَحْلَلْنَا حَتَّى وَطِئْنَا النِّسَاءَ، وَفَعَلْنَا مَا يَفْعَلُ الْحَلاَلُ. حَتَّى إِذَا كَانَ يَوْمُ التَّرْوِيَةِ، وَجَعَلْنَا مَكَّةَ بِظَهْرٍ، أَهْلَلْنَا بِالْحَجِّ.

[2566–143]. (Dar al-Salam 2799) Ibn Numayr narrated:[xvi] Abu Nuʿaym narrated; Mūsā ibn Nāfiʿ narrated. He said: **'I arrived in Makkah four days before the [Day of] al-Tarwiyah, on ʿumrah, doing the *tamattuʿ* method. People said: "Now your hajj becomes a Makkan hajj". I went to ʿAṭā' ibn Abi Rabāḥ seeking his fatwa. ʿAṭā' said: "Jābir ibn ʿAbdullāh al-Anṣārī narrated to me that he offered the hajj with God's Messenger (peace be upon him) in the year when he brought his sacrifice with him. They had started their consecration declaring for the hajj on its own. God's Messenger (peace be upon him) said to them: 'Release yourselves from consecration when you have done the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah and cut your hair. Stay in Makkah in the normal state, then on the Day of al-Tarwiyah enter into consecration, declaring for the hajj. Make the one in which you arrived a**

mitʿah **ʿumrah’**[xvii]**. We said: ‘How can we make it a *mitʿah* when we have declared it for hajj?’ He said: ‘Do as I bid you. Had it not been for the fact that I have brought my sacrifice with me, I would have done the same as I am bidding you to do. But release from consecration is not permissible for me until my sacrifice has reached its appointed destination’. They did as they were bid”.’**

وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبُو نُعَيْمٍ، حَدَّثَنَا مُوسَى بْنُ نَافِعٍ، قَالَ قَدِمْتُ مَكَّةَ مُتَمَتِّعًا بِعُمْرَةٍ قَبْلَ التَّرْوِيَةِ بِأَرْبَعَةِ أَيَّامٍ فَقَالَ النَّاسُ: تَصِيرُ حَجَّتُكَ الآنَ مَكِّيَّةً. فَدَخَلْتُ عَلَى عَطَاءِ بْنِ أَبِي رَبَاحٍ، فَاسْتَفْتَيْتُهُ. فَقَالَ عَطَاءٌ: حَدَّثَنِي جَابِرُ بْنُ عَبْدِ اللهِ الأَنْصَارِيُّ، رَضِيَ اللهُ عَنْهُمَا، أَنَّهُ حَجَّ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ سَاقَ الْهَدْيَ مَعَهُ، وَقَدْ أَهَلُّوا بِالْحَجِّ مُفْرَدًا فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «أَحِلُّوا مِنْ إِحْرَامِكُمْ، فَطُوفُوا بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ، وَقَصِّرُوا. وَأَقِيمُوا حَلاَلاً حَتَّى إِذَا كَانَ يَوْمُ التَّرْوِيَةِ فَأَهِلُّوا بِالْحَجِّ، وَاجْعَلُوا الَّتِي قَدِمْتُمْ بِهَا مُتْعَةً». قَالُوا كَيْفَ نَجْعَلُهَا مُتْعَةً وَقَدْ سَمَّيْنَا الْحَجَّ؟ قَالَ: «افْعَلُوا مَا آمُرُكُمْ بِهِ فَإِنِّي لَوْلاَ أَنِّي سُقْتُ الْهَدْيَ لَفَعَلْتُ مِثْلَ الَّذِي أَمَرْتُكُمْ بِهِ، وَلَكِنْ لاَ يَحِلُّ مِنِّي حَرَامٌ حَتَّى يَبْلُغَ الْهَدْيُ مَحِلَّهُ». فَفَعَلُوا.

[2567–144]. (Dar al-Salam 2800) Muhammad ibn Maʿmar ibn Ribʿī al-Qaysī narrated: Abu Hishām al-Mughīrah ibn Salamah al-Makhzūmī narrated; from Abu ʿAwānah; from Abu Bishr; from ʿAṭā’ ibn Abi Rabāḥ; from Jābir ibn ʿAbdullāh. He said: **‘We came with God’s Messenger (peace be upon him) declaring for the**

hajj. God’s Messenger ordered us to make it an ʿumrah and release ourselves from *iḥrām*. He had brought his sacrifice with him, so he could not make it an ʿumrah’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ مَعْمَرِ بْنِ رِبْعِيٍّ الْقَيْسِيُّ، حَدَّثَنَا أَبُو هِشَامٍ الْـمُغِيرَةُ بْنُ سَلَمَةَ الْـمَخْزُومِيُّ، عَنْ أَبِي عَوَانَةَ، عَنْ أَبِي بِشْرٍ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: قَدِمْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُهِلِّينَ بِالْحَجِّ، فَأَمَرَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ نَجْعَلَهَا عُمْرَةً وَنَحِلَّ. قَالَ: وَكَانَ مَعَهُ الْهَدْيُ، فَلَمْ يَسْتَطِعْ أَنْ يَجْعَلَهَا عُمْرَةً.

Text Explanation

In hadith No. 2541 ʿĀ'ishah mentions that they set out thinking of nothing other than the hajj because they believed that the ʿumrah may not be offered during the hajj months. She then mentions arriving at Sarif, which is a few miles from Makkah, where she started her period. The Prophet tells her that 'this is something God has given all Adam's daughters'. This was to comfort her and to assure her that she was not the only one to be in that condition. In his *Ṣaḥīḥ*, al-Bukhari cites this hadith as evidence that all women, ever since the creation of mankind had their monthly cycles. He thus refuted the claim that it started with the Children of Israel.

In the same hadith, the Prophet tells ʿĀ'ishah to do all the duties of the hajj except for the *ṭawāf* at the Kaʿbah, which she could only do after she finished her period and had taken her cleansing bath. This serves as evidence that a woman in her period or in postnatal discharge, a man in a state of ceremonial impurity and anyone who has not performed the wudu ablution may do all the rituals of the hajj, whether verbal or practical, except for the *ṭawāf* and the prayer after it. This means that attendance at Arafat is valid for all these people. It is also permissible to take all the types of bath needed during the hajj.

This hadith also makes it clear that a woman in menstruation may not perform the *ṭawāf* at the Kaʿbah. This is unanimously agreed upon, but scholars differ as to the reason for it, and their views on this point relate to their differences as to whether ablution is a condition for the validity of *ṭawāf*. Mālik, al-Shāfiʿī and Ahmad say that it is a condition. Abu Ḥanīfah and Dāwūd say it is not. Those who make ablution a condition for valid *ṭawāf* say that since a woman having her period is uncleansed, she cannot perform the *ṭawāf*. The others who do not require ablution for valid *ṭawāf* say the reason why a woman cannot do it when she is menstruating is because she is not allowed to stay in a mosque during this cycle.[xviii]

The hadith adds that 'the Prophet sacrificed cows on behalf of his wives'. This is understood to mean that it was with their permission because offering a sacrifice on behalf of someone else must be by permission. Mālik considers this hadith as evidence that sacrificing a cow is preferable to

sacrificing a camel. But the hadith indicates no such preference as it does not mention such preferability specifically or generally. This is a specific question that permits different possibilities and does not support his argument. Al-Shāfiʿī and the majority of scholars are of the view that sacrificing a camel is preferable to sacrificing a cow because in a different hadith the Prophet says: ‘The one who arrives [at the mosque for Friday Prayer] in the first period is like one who sacrifices a camel, and the one who arrives in the second period is like one who sacrifices a cow…’.

These hadiths make it clear that it is permissible for a man to take his wife to perform the hajj with him. This is unanimously agreed upon by all scholars. They are also agreed that the hajj is required as a duty of a woman if she is able to do it. Scholars of the earlier generations differed as to whether the availability of a *maḥram* (an unmarriageable relative) to accompany her is one of the conditions of a woman’s ability. They agree that a woman’s husband may stop her from doing a voluntary hajj [i.e., one she wishes to do after having done her obligatory hajj]. As for the obligatory hajj, the majority of scholars say that a husband may not stop his wife from doing it. Al-Shāfiʿī gives two views on this point: the first is the same as the majority, but the one more correctly attributed to al-Shāfiʿī is that a husband may stop his wife from doing the obligatory hajj because her duties towards him are immediate, while her duty of hajj is to be done as and when she can. Our Shāfiʿī scholars say that it is desirable for a husband to take his wife on hajj, as authentic hadiths confirm.

In hadith No. 2542 ʿĀ’ishah mentions that many of the Prophet’s Companions changed their consecration into one for ʿumrah and then says: ‘The people then restarted *iḥrām* when they left’. This means that they started their consecration anew when they left Makkah, going to Mina. This was on the Day of al-Tarwiyah, which is 8th Dhul-Ḥijjah. This provides evidence in support of al-Shāfiʿī’s view that the better course for people who are in Makkah is to start their *iḥrām* for the hajj on the Day of al-Tarwiyah, not before it. We mentioned this earlier.

This hadith concludes with ʿĀ’ishah saying: ‘We arrived at al-Tanʿīm where I entered into a state of consecration, declaring for ʿumrah, in compensation for the ʿumrah other people performed’. This means that her

ʿumrah was equal to the ʿumrah other people performed before the hajj. It was sufficient for her.

In hadith No. 2545 ʿĀ'ishah says: 'We set out with God's Messenger (peace be upon him) declaring our intention to do the hajj and this was in the hajj months'. Scholars differ as to the meaning of 'the hajj months', as the phrase occurs in the Qur'an: 'The hajj takes place in the months appointed for it'. (2: 197) Al-Shāfiʿī and the great majority of scholars from the generation of the Prophet's Companions onwards say that these months are Shawwāl, Dhul-Qaʿdah and the first ten nights of Dhul-Ḥijjah up until dawn on the Day of Sacrifice. This is also reported from Mālik, but the better-known view of Mālik is that they are Shawwāl, Dhul-Qaʿdah and the full month of Dhul-Ḥijjah. This is also reported to have been expressed by Ibn ʿAbbās and Ibn ʿUmar, but their better-known view is the same as that of the majority.

In the same hadith: 'The Prophet addressed his Companions, saying: "Whoever of you who has not brought a sacrifice and wishes to make it an ʿumrah may do so. The ones who have brought their sacrifice may not". Some of those who did not have the sacrifice did so and some did not'. And in hadith No. 2564 Jābir says that the Prophet 'ordered us to release ourselves from consecration', meaning to end it as an ʿumrah. And towards the end of this hadith: 'We listened, obeyed and released ourselves from consecration'. And in hadith No. 2566 Jābir says that the Prophet said to them: '"Release yourselves from consecration when you have done the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah and cut your hair. Stay in Makkah in the normal state, then on the Day of al-Tarwiyah enter into consecration, declaring for the hajj. Make the one in which you arrived a *mitʿah* ʿumrah". We said: "How can we make it a *mitʿah* when we have declared it for hajj?" He said: "Do as I bid you".' These narrations are authentic, making it clear that the Prophet was giving a clear order that must be obeyed. Earlier, in the hadith, No. 2545 he said to his Companions: 'Whoever of you who has not brought a sacrifice and wishes to make it an ʿumrah may do so'. Scholars said that at first, the Prophet gave his Companions a choice to make it an ʿumrah if they wished to do so. This was to make it easier for them and to show them the possibility of starting with the ʿumrah because they used to consider it a very grave sin to do the

ʿumrah in the hajj months. Later, he made it a binding order that they had to do so. He disliked their reluctance to accept it. They then did it, all of them, except those who had brought their sacrifice with them, but God knows best.

In the same hadith, No. 2545 ʿĀ'ishah mentions to the Prophet the cause of her crying saying: 'I heard what you said to your Companions, and I heard about the ʿumrah'. This is how it occurs in most manuscripts, 'I heard about the ʿumrah'. *Qadi* ʿIyāḍ said: 'This is how the majority of the narrators from Muslim state the hadith, but some give it as: "and I was prevented from offering the ʿumrah", which is the correct way'.[xix] The Prophet asks ʿĀ'ishah the reason: 'Why is that?' Her reply is: 'I cannot pray'. This suggests the preferability of giving an implicit reply when there is something that a shy person may feel reluctant to express, unless there is clear need to give an explicit reply to remove any misunderstanding.

In the same hadith, the Prophet instructs ʿAbd al-Raḥmān ibn Abu Bakr: 'Take your sister out of the Ḥaram [area] so that she starts the ʿumrah'. On the basis of this statement, scholars say that whoever is in Makkah and wants to perform the ʿumrah, his starting point, i.e., the *mīqāt*, is the nearest point of the Ḥil area. He may not start it from within the Ḥaram area. If such a person disregards this, starts consecration within the Ḥaram and then goes to the Ḥil area before performing the *ṭawāf* at the Kaʿbah, this is fine and no compensatory sacrifice becomes necessary. If such a person does not go to the Ḥil area, but goes ahead with the ʿumrah, performing the *ṭawāf*, *saʿī* and the hair cutting, two views are given by scholars: the first is that the ʿumrah remains invalid unless that person goes out of the Ḥaram, into the Ḥīl, then performs the *ṭawāf*, *saʿi* and hair cutting. The other and more correct view is that the ʿumrah is valid, but a compensatory sacrifice is due because of ignoring the *mīqāt*. Scholars add that going out of the Ḥaram is necessary so that the worshipper combines both areas in this act of worship. The same is necessary in hajj, as the pilgrim attends at Arafat, which is in the Hil area, then goes into Makkah to do the *ṭawāf al-ifāḍah* and other duties. Such are the details of al-Shāfiʿī's view. The same is endorsed by the majority of scholars, stating that one should go out to the nearest point in the Ḥil area and enter into consecration there. This is the reason why a compensatory sacrifice becomes due if a person enters into consecration

within the Ḥaram and performs the ʿumrah. However, ʿAṭā’ says that in the latter case, no compensation is due. Mālik, on the other hand, says that the ʿumrah remains invalid unless one goes outside of the Ḥaram.

Qadi ʿIyāḍ claims that Mālik said that such a person must enter into consecration at al-Tanʿim in particular, and that it is the *mīqāt* of those who are in Makkah and want to do the ʿumrah. This is odd and should be rejected. The great majority of scholars agree that all points in the Ḥil area are equally valid, and there is no special status for al-Tanʿīm in particular.

In hadith No. 2548 the Prophet says to ʿĀ’ishah: ‘It will be according to your effort (or he said: your spending)’. It is clear that reward for any act of worship is increased when it requires more effort or more spending. It should be borne in mind, however, that what is meant here is the type of effort or spending acceptable to Islam.

In hadith No. 2550 ‘Ṣafiyyah said: “I shall be detaining you”. He said: “Barren and shaved! Did you not do the *ṭawāf* on the Day of Sacrifice?” She said: “I did”. He said: “No harm. You may leave”.’ This means that another Mother of the Believers started her period before performing the *ṭawāf* of farewell. When the Prophet wanted to proceed to Madinah, she told him that she thought she would be detaining them until she had finished her period when she could do that *ṭawāf*. She thought that the *ṭawāf* of farewell could not be waived for a woman in menstruation. However, the Prophet asked her if she did the *ṭawāf al-ifāḍah*, which is a condition for the validity of the hajj, and every pilgrim must perform it. She confirmed that she did it. The Prophet told her that there was no harm and that she might leave because the *ṭawāf* of farewell is waived for a menstruating woman.[xx]

When Ṣafiyyah told the Prophet that she might detain them, he said: ‘Barren and shaved!’ This is a phrase in the form of a supplication, but it lost its linguistic meaning and is never used in its literal sense. It is merely an expression of displeasure.

This hadith gives evidence confirming that the farewell *ṭawāf* is not obligatory for a woman pilgrim who is menstruating. She need not wait until she finishes her period, and no compensatory sacrifice is due of her. This is the view of our school and all scholars, except for what *Qadi* ʿIyāḍ reports of some early scholars, but this is peculiar and unacceptable.

In hadith No. 2552 ʿĀ'ishah says that the Prophet 'entered my place, and he was angry. I said: "Who has angered you, Messenger of God? May God put him in the Fire". He said: "Have you not realised that I ordered people to do something, and they are reluctant [to do it]?"' The cause of the Prophet's anger was that his Companions were reluctant to accept the Islamic ruling. Their reluctance was tantamount to violating the sanctity of Islamic law. God says in the Qur'an: 'But no, by your Lord! They do not really believe unless they make you judge in all disputes between them, and then find in their hearts no bar to an acceptance of your decisions and give themselves up in total submission. (4: 65) His anger was mixed with sorrow because their reluctance to do what he bid them meant deficiency of faith. The hadith shows that anger is desirable when sanctity of faith is violated, and that it is permissible to say a supplication against a person who deliberately violates Islamic law, but God knows best.

The Prophet explains the reason for his anger: 'Have you not realised that I ordered people to do something, and they are reluctant [to do it]? (Al-Ḥakam said: seemingly reluctant, I think)'. This means that al-Ḥakam was in doubt as to the exact word the Prophet used, although he was sure of its meaning. Hence, he said: 'seemingly reluctant' and added 'I think', which means that he thought the Prophet actually said the Arabic word *yataraddadūn*, which means 'they are reluctant'. This is confirmed by Muslim as he enters the next hadith which states: 'He did not mention al-Ḥakam's doubt concerning their reluctance'.

In the same hadith, No. 2552 the Prophet says: 'Were I to start afresh, I would not bring my sacrifice with me'. This confirms the permissibility of regretting missing out on what is better in matters related to faith, religion and worship. A different authentic hadith quotes the Prophet as saying that such an expression of regret opens the door for Satan to do his evil work. This hadith is understood to apply to this world's life matters. There are several hadiths that use the expression 'were I to…' in matters that do not belong to this life. Thus, the hadiths are reconciled, but God knows best.

In hadith No. 2555 the Prophet tells ʿĀ'ishah: 'Your *ṭawāf* at al-Ṣafa and al-Marwah is sufficient for your hajj and ʿumrah'. This is evidence that she offered her hajj in the *qirān* method. This means that she did not

invalidate her initial ʿumrah, but simply stopped doing its duties separately. We already explained this earlier in this chapter.

In hadith No. 2556 ʿĀ'ishah says: 'I lifted my head covering off my neck, and he struck my leg as though striking the camel. I said to him: "Do you see anyone around?" I started my consecration for ʿumrah'. She said that she removed her head covering a little as her brother was taking her to al-Tanʿīm at night. Her brother struck her leg with the edge of the end of the sheath of his sword. This is *Qadi* ʿIyāḍ's explanation. However, it may mean that her brother pretended to be aiming to hit the camel when he hit her on her leg. Thus, the meaning would be that he hit her with a whip or a stick or something else when she partly removed her head covering. She said to him: 'Do you see anyone around?' There was no one around for her to put on her head covering. This explanation is necessary because it is consistent with the wording, meaning and context. Hence, it must be taken, but God knows best.

In this hadith, she says that after her ʿumrah, she met God's Messenger when he was at al-Ḥaṣbah, which refers to al-Muḥaṣṣab. However, in hadith No. 2550 she says: 'God's Messenger (peace be upon him) met me when he was going up to Makkah and I was going down to it; or when I was going up and he was going down to it'. Earlier in the hadith, No. 2545 she says: 'We joined God's Messenger at his place in the middle of the night. He asked [me]: "Have you finished?" I said: "Yes". He then made the announcement to his Companions to depart. He left, passing by the Kaʿbah where he did the *ṭawāf*'.

These hadiths are reconciled as follows: the Prophet sent ʿĀ'ishah with her brother to al-Tanʿīm after he stopped at al-Muḥaṣṣab and told her to meet him there after she had finished her ʿumrah. After she left, he went to the Kaʿbah where he did his farewell *ṭawāf* and returned after he completed it. All this was during the night that followed the Tashrīq days [i.e., 11, 12 and 13 Dhul-Ḥijjah]. He met her as he was leaving Makkah after doing the farewell *ṭawāf,* while she was going to do her *ṭawāf* for the ʿumrah. When she completed her ʿumrah, she joined him at al-Muḥaṣṣab. However, she says in the last of these statements, i.e., hadith No. 2545: 'He then made the announcement to his Companions to depart. He left, passing by the Kaʿbah where he did the *ṭawāf*'. This must be understood as relating things in the

wrong order, putting last what was actually earlier. The Prophet's *ṭawāf* was in fact after she left for her ʿumrah and before she came back. He finished his *ṭawāf* before she started hers for her ʿumrah.

In hadith No. 2558 Jābir mentions: 'Then we re-entered into consecration on the Day of al-Tarwiyah', which is 8 Dhul-Ḥijjah. This confirms al-Shāfiʿī's and other scholars' view that whoever is in Makkah and wishes to do the hajj, should start consecration on the Day of al-Tarwiyah, not earlier. We explained this point and the different views on it in the early part of the Book of Hajj.

In the same hadith, the Prophet tells ʿĀ'ishah when she informed him that she did not do her ʿumrah because of menstruating: 'This is something that God has created all Adam's daughters with. Take a bath and declare your *iḥrām* for the hajj'. This bath is for entering into consecration. It shows that it is desirable for anyone who wishes to start consecration for the hajj or the ʿumrah to take a bath, even a menstruating woman.

The same hadith adds: 'When she finished her period, she per-formed the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah. He then said [to her]: "You have released yourself from both your hajj and your ʿumrah together".' It is clear that her ʿumrah was not invalidated, as we have earlier explained the meaning of the Prophet's words when he said to her: 'Stop your ʿumrah'. Three points are clear from this statement: the first is that ʿĀ'ishah did her hajj in the *qirān* method, and that stopping her ʿumrah was as we earlier explained. Secondly, that one *ṭawāf* and one *saʿī* are sufficient for anyone doing the *qirān* method, for both the hajj and the ʿumrah. This is the view of the majority of scholars and al-Shāfiʿī, but Abu Ḥanīfah and a group of scholars say that such a person needs to do two *ṭawāfs* and two *saʿīs*. Thirdly, the *saʿī* between al-Ṣafa and al-Marwah must be done after a proper *ṭawāf*. This is clear from the fact that the Prophet ordered ʿĀ'ishah to do all that a pilgrim does, except the *ṭawāf* at the Kaʿbah. She did neither the *ṭawāf* nor the *saʿī*. It is well-known that the *saʿī* must be preceded by a *ṭawāf*, and since the Prophet told her that she could not do the *ṭawāf* while menstruating, she could not do the *saʿī* either. Had it been possible for her to do it, she would not have delayed it.

We can verify that ʿĀ'ishah started her period on Saturday, the third of Dhul-Ḥijjah and finished it the following Saturday, 10 Dhul-Hijjah, which

is the Day of Sacrifice, and all this was in the tenth year of the Prophet's migration. This is mentioned by Abu Muhammad ʿAlī ibn Ḥazm in his book on the Prophet's Farewell Pilgrimage.

In hadith No. 2560 Jābir, the Prophet's companion who narrates the hadith says: 'God's Messenger was an easy man. When she wished for something, he would gratify her'. This means that if she wished for something that is approved by Islam, as was her request to do the ʿumrah, he would gratify her. His description of the Prophet as 'an easy man' means that he was of an easy nature, with fine qualities, gentle, making things easy for others. Indeed, God says of him: 'Most certainly, yours is a sublime character'. (68: 4) The hadith also shows the importance of good treatment of one's wife, as God says: 'Consort with them in a goodly manner'. (4: 19) This particularly applies to matters of religion and worship.

In hadith No. 2561 Jābir says: 'We set out with God's Messenger (peace be upon him) declaring for the hajj, and we had our women and children with us'. This makes it clear that a child's hajj is valid and that it is proper to take a child on pilgrimage. The view of Mālik, al-Shāfiʿī, Ahmad and all scholars from the Prophet's Companions, the *tābiʿīn* and the following generations is that a child's hajj is valid and earns the child a reward. All the normal rulings of the hajj apply to the child's hajj, but it does not count as the obligatory hajj that Islam requires of all adult Muslims. When the child grows up and meets the condition of ability to do the hajj, this obligatory hajj becomes applicable. Abu Ḥanīfah takes a view that is contrary to that of the majority, saying that neither the consecration nor the hajj of a child is valid. No reward is given for it, and none of the rules of the hajj apply to the child. Yet, a child may be taken on hajj so as to learn what is permissible and what is not during the hajj. Abu Ḥanīfah also says: 'The same applies to prayer. A child's prayer is invalid, but the child is ordered to pray in order to learn how to pray. The same applies to all acts of worship'. However, the view of the majority of scholars is the correct one, as clearly expressed in a hadith narrated by Ibn ʿAbbās stating that 'a woman held up a child and said: "Messenger of God, may this one do the hajj?" He said: "Yes".' But God knows best.

In the same hadith, Jābir says: 'The first *ṭawāf* between al-Ṣafa and al-Marwah was sufficient for us'. This means that the first *saʿī* was sufficient

for those of us who did their hajj in the *qirān* method. The ones who did the *tamattuʿ* method need to do the *saʿī* between al-Ṣafa and al-Marwah again during the hajj, when they return from Arafat and after performing the *ṭawāf al-ifāḍah*.

Jābir then adds: ‘God’s Messenger ordered us to join together in sacrificing camels and cows, one for every seven of us’. Scholars say that one camel or one cow may be shared by seven pilgrims for their sacrifice. This hadith makes it clear that each of these is sufficient in place of seven sheep. The hadith makes it clear that it is appropriate to be partners in the same sacrifice, whether it is a duty or a sunnah. This is the view of al-Shāfiʿī and scholars who agree with him. Any seven may share together, whether they are dispersed or present together, and whether they are doing obligatory or voluntary sacrifices. Even if some are doing a religious sacrifice and some only want a share of the meat. This is reported from Ibn ʿUmar and Anas, and it is Ahmad’s view. Mālik said that it applies if all of them are making a voluntary sacrifice, but not if it is an obligatory sacrifice. Abu Ḥanīfah said that they may share in the sacrifice of a camel or a cow if they are performing a religious sacrifice, whether of the same purpose or different purposes. If some are making a religious sacrifice and some want the meat, then the sharing is not permissible.

In hadith No. 2562 Jābir says: ‘When we released ourselves from consecration, the Prophet (peace be upon him) ordered us to restart consecration when we set out for Mina. Therefore, we started our *iḥrām* at al-Abṭaḥ’. Al-Abṭaḥ is the desert area close to Makkah, and it is adjacent to al-Muḥaṣṣab. ‘When we set out for Mina’, means on the Day of al-Tarwiyah, as clearly stated in the previous hadith. This confirms what we mentioned earlier about waiting until this day before entering into consecration for the hajj. Mālik and others said that entry into consecration starts on the first day of Dhul-Ḥijjah, but we discussed this point earlier and mentioned its evidence. Jābir’s statement, ‘we started our *iḥrām* at al-Abṭaḥ’, may be taken as evidence that residents in Makkah may start the *iḥrām* for the hajj at any place in the Ḥaram area. Two views are expressed on this point by our Shāfiʿī scholars, and the more correct of the two is that the start of *iḥrām* must be from within Makkah, and the most preferable point is at one’s own doorstep, although some say that it is from the Grand

Mosque at the Kaʿbah. The other view is that it is valid from anywhere in Makkah and the Ḥaram area. This question is discussed in detail in the second chapter of this book, which speaks about the *mīqāts*. Scholars who adopt the second view cite this hadith narrated by Jābir, as they started at al-Abṭaḥ, which is outside Makkah but within the Ḥaram area. Those who adopt the first view, which is more correct, argue that they started at al-Abṭaḥ because they were staying there. Everyone who is within the points of *mīqāt* start at their own homes, as explained in the chapter devoted to the *mīqāts*.

In hadith No. 2563 Jābir says: ‘The Prophet (peace be upon him) and his Companions did not do the *saʿī* between al-Ṣafa and al- Marwah except once, which was his first *saʿi*’. This refers to the Prophet and whoever of his Companions opted for the *qirān* method; they performed the *saʿī* between al-Ṣafa and al-Marwah once only. The others who did the *tamattuʿ* performed the *saʿī* twice, once for the ʿumrah and the other on the Day of Sacrifice, for the hajj. This hadith gives clear evidence in support of al-Shāfiʿī’s view that the *qirān* method requires only one *ṭawāf* at the Kaʿbah, which is the *ṭawāf al-ifāḍah*, and one *saʿī*. Scholars who share this view include Ibn ʿUmar, Jābir ibn ʿAbdullāh, ʿĀ’ishah, Ṭāwūs, ʿAṭā’, al-Ḥasan al-Baṣrī, Mujāhid, Mālik, Ibn al-Majishūn, Ahmad, Isḥāq, Dāwūd and Ibn al-Mundhir. A group of scholars say that even in the *qirān* method, two *ṭawāfs* and two *saʿīs* are required. This view is shared by al-Shaʿbī, al-Nakhaʿī, Jābir ibn Zayd, ʿAbd al-Raḥmān ibn al-Aswad, al-Thawrī, al-Ḥasan ibn Ṣāliḥ and Abu Ḥanīfah. It is also reported from ʿAlī and Ibn Masʿūd, but Ibn al-Mundhir said that it cannot be confirmed to have been stated by ʿAlī.

In hadith No. 2564 the Prophet ‘ordered us to release ourselves from consecration’. ʿAṭā’ said that he said: ‘Release yourselves and be intimate with your wives’. ʿAṭā’ said: ‘He did not urge them but said that it was lawful for them’. This means that he did not urge them to have intercourse with their wives, but simply said that it was permissible for them. As for releasing themselves from consecration, he urged the ones who did not bring their sacrifice with them to do it. These same people, however, were concerned about arriving at Arafat ‘with our organs dripping with semen!’ This means that they considered it strange that they could have intercourse

at a time that was so close to the main hajj duty, which is attendance at Arafat.

The hadith continues: ‘ʿAlī came from his mission. The Prophet asked him: “How did you start your consecration?” He said: “The same as the Prophet”. God’s Messenger (peace be upon him) said to him: “Then keep your sacrifice and stay in consecration”. ʿAlī gifted him some sacrificial animals’. The Arabic word used for ‘mission’ is *siʿāyah*. *Qadi* ʿIyāḍ said:

> This means his mission of collecting zakat. However, some of our scholars said that in other hadiths, it is clear that ʿAlī was sent as a governor, not a zakat collector. It is not permissible for members of the Hāshimite clan to be employed as zakat collectors. The Prophet said to al-Faḍl ibn ʿAbbās and ʿAbd al-Muṭṭalib ibn Rabīʿah when they requested the Prophet to give them some assignment to collect zakat: ‘Zakat is not permissible for Muhammad and his household’, and he refused to appoint them. Therefore, it may be that ʿAlī accepted the assignment to collect zakat as something he would do without pay, or that he was paid from some other source. This is closer to the meaning of his *siʿāyah*, which applies to appointments dealing with zakat.

What *Qadi* ʿIyāḍ said is fine except the last point of this word applying only to missions concerned with zakat. Indeed, it may be used to refer to any type of appointment, although it is mostly used in connection with zakat. This is confirmed by hadith No. 244 in the Book of Faith, which mentions the removal of trust. In this hadith, Hudhayfah ibn al-Yamān, a companion of the Prophet, says: ‘There was a time when I did not care with whom I made a transaction. If he was a Muslim, his faith would ensure that I get my right, and if he was a Christian or a Jew, his warden would ensure that I get it’. The Arabic word used for ‘warden’ is *sāʿīh*, which is derived from the same root as *siʿāyah*, but means warden, while *siʿāyah* is primarily used for ‘zakat collection’, but God knows best.

The hadith says: ‘ʿAlī came from his mission. The Prophet asked him: “How did you start your consecration?” He said: “The same as the Prophet”. God’s Messenger (peace be upon him) said to him: “Then keep your sacrifice and stay in consecration”. ʿAlī gifted him some sacrificial

animals’. Yet in hadith No. 2578 narrated by Abu Mūsā al-Ashʿarī, he says: ‘I joined God’s Messenger (peace be upon him) when he was staying at al-Baṭḥā’. He said to me: “Are you doing the hajj?” I said: “Yes”. He asked: “How did you start your *iḥrām*?” I told him that I said: “I respond to You [my Lord] and start in the same way as the Prophet has started”. He said: “You did well. Perform the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah, then release yourself from consecration”.’ And in the following hadith, No. 2579 also narrated by Abu Mūsā: ‘the Prophet asks him: “How did you start your *iḥrām*?” He said: “I started the same way as the Prophet”. He asked: “Have you brought your sacrifice with you?” I said: “No”. He said: “Perform the *ṭawāf* at the Kaʿbah and between al-Ṣafa and al-Marwah, then release yourself from consecration”.’

These two hadiths, narrated by ʿAlī and Abu Mūsā, make clear that starting with a conditional *iḥrām* is valid. This means that someone says that he starts his *iḥrām* in the same way as so-and-so has started. He thus enters into a state of consecration and follows the person he named in the method he chose. Yet the endings of the two hadiths differ; the Prophet orders ʿAlī to remain in consecration and orders Abu Mūsā to release himself from consecration. This difference is due to the fact that although they started consecration like the Prophet, their situation was different. ʿAlī brought his sacrifice with him, just as the Prophet did. Hence, the Prophet ordered him to stay in *iḥrām*, as the Prophet himself remained in *iḥrām*. Thus, both were doing the *qirān* method. Abu Mūsā did not bring any sacrifice with him. Therefore, he was in the same situation as the Prophet would have been in if he had not brought his sacrifice. The Prophet said that had it not been for the fact that he had brought his sacrifice with him, he would have made it an ʿumrah and released himself from consecration. Therefore, he ordered Abu Mūsā to do just this and his orders to his two Companions were different. This is the right explanation. Al-Khaṭṭābī and *Qadi* ʿIyāḍ give two different explanations of these two hadiths, but their explanations are unsatisfactory, and God knows best.

Hadith No. 2564 mentions that ‘ʿAlī gifted the Prophet some sacrificial animals’. This means that ʿAlī bought these animals and gave them as a gift to the Prophet. They were not given to him as zakat, which he collected.

As mentioned earlier, these two hadiths confirm that a conditional start of consecration is valid, as al-Shāfiʿī and many scholars say. This means that a man intends his *iḥrām* to be the same as the *iḥrām* of so-and-so. Thus, if so-and-so started with the hajj or the ʿumrah, or both together, the same applies to this man. If so-and-so started with an unspecified *iḥrām*, the man's *iḥrām* is also unspecified. He may then decide what to make it, without necessarily doing the same as so-and-so. This question is discussed with numerous details in books of Fiqh, and I summarised these in my work, *Sharḥ al-Muhadhdhab*.

In the same hadith, Surāqah ibn Juʿshum asks the Prophet: 'Is this for this year of ours or forever?' The Prophet confirms that it is forever. And in hadith No. 2571: 'Surāqah ibn Mālik ibn Juʿshum stood up and said: "Messenger of God, is it for this year of ours or forever?" The Prophet crossed his fingers, one in the other and said: "The ʿumrah has joined the hajj (twice). No, it is forever and ever".' Scholars differed in their understanding of the meaning of the Prophet's words, giving different explanations, but the most correct of these is the one endorsed by the majority which means that the ʿumrah may be done in the hajj months for the rest of time. This contradicts what people claimed in pre-Islamic days, that the ʿumrah may not be performed during the hajj months. The second explanation is the permissibility of the *qirān*. Thus, the Prophet's words would mean that the duties of the ʿumrah are incorporated into the duties of the hajj for the rest of time. A third explanation suggested by some means that the ʿumrah is no longer a duty, and that its being part of the hajj means it is discarded as such a duty. This explanation has no solid foundation, or indeed is wrong. In fact, the general meaning of the hadith suggests its being wrong. A fourth explanation is suggested by some Ẓāhirī scholars who claim that an intention to do the hajj may be changed and replaced by doing the ʿumrah. Again, this has no strong foundation.

In hadith No. 2566 ʿAṭā' narrates: 'Jābir ibn ʿAbdullāh al-Anṣārī narrated to me that he offered the hajj with God's Messenger (peace be upon him) in the year when he brought his sacrifice with him. They had started their consecration declaring for the hajj on its own. God's Messenger (peace be upon him) said to them: "Release yourselves from consecration when you have done the *ṭawāf* at the Kaʿbah and between al-

Ṣafa and al-Marwah and cut your hair. Stay in Makkah in the normal state, then on the Day of al-Tarwiyah enter into consecration, declaring for the hajj. Make the one in which you arrived a *mitʿah* ʿumrah”.’

There is a change of order in the way this hadith is narrated. It should be understood as follows: the Prophet’s Companions started their consecration intending to do the hajj on its own. The Prophet told them to change their consecration to a ʿumrah and when they have completed its duties, they release themselves from consecration. This is the meaning of switching from the hajj to the ʿumrah. Scholars differ as to whether this switch was only allowed to the Prophet’s Companions for that year only or it remains open to them and everyone else until the Day of Judgement. Ahmad and a number of scholars belonging to the Ẓāhirī School said that it is not theirs only but remains valid for the rest of time. This means that anyone who declares his intention to do the hajj at the start of consecration, and does not take his sacrifice with him, may switch his consecration, making it an ʿumrah and release himself when he has completed it. On the other hand, Mālik, al-Shāfiʿī, Abu Ḥanīfah and the majority of scholars of earlier and later generations said that the switch was applicable to the Prophet’s Companions only, for that year, and it is not open to anyone after that year. They were ordered to do so in order to contradict the practice of pre-Islamic days that disallowed the ʿumrah in the hajj months.

The majority view is confirmed by Hadith No. 2584 narrated by Abu Dharr: ‘The change of hajj to the *tamattuʿ* was especially allowed for Muhammad’s Companions’. This means the discontinuity of the consecration for hajj and doing the ʿumrah instead. A hadith is related in al-Nasā’ī’s *Sunan*, narrated by al-Ḥārith ibn Bilāl from his father who says: ‘I said: “Messenger of God, is the switch of the hajj for us only or for people generally?” He said: “For us only”.’ Surāqah’s question which he put to the Prophet was different. He asked: ‘Is it for this year of ours or forever?’ The Prophet answered: ‘Forever and ever’. This applies to performing the ʿumrah in the hajj months, as we have already explained.

The sum of all these hadiths is that performing the ʿumrah in the hajj months is valid for the rest of time, and so is the *qirān* method. Switching one’s *iḥrām* from the hajj to the ʿumrah was a special concession for that year alone, but God knows best.

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i. Related by al-Bukhari, 294, 5548 and 5559; al-Nasā'ī, 289, 347, 2740, 2990; Ibn Mājah, 2963.

ii. Related by al-Bukhari, 305.

iii. Related by Abu Dāwūd, 1782.

iv. Related by Abu Dāwūd, 1777; al-Tirmidhī, 820; al-Nasā'ī, 2714; Ibn Mājah, 2964.

v. Related by al-Bukhari, 1560 and 1788.

vi. Related by al-Bukhari, 1709, 1720 and in a longer version 2952; al-Nasā'ī, 2649, 2803.

vii. Related by al-Bukhari, 1787.

viii. Related by al-Bukhari in longer versions, 1561, 1762; Abu Dāwūd in a shorter version, 1783; al-Nasā'ī, 2802.

ix. Related by al-Nasā'ī, 2717.

x. Related by al-Nasā'ī, 2911.

xi. Related by al-Bukhari, 1784, 2985; al-Tirmidhī, 934; Ibn Mājah, 2999.

xii. Related by Abu Dāwūd, 1785; al-Nasā'ī, 2762.

xiii. Related by Abu Dāwūd, 1786.

xiv. Related by Abu Dāwūd, 1895; al-Nasā'ī, 2986.

xv. Related by al-Bukhari, 2505; al-Nasā'ī in a shorter version, 2872.

xvi. Related by al-Bukhari, 1568.

xvii. A *mitʿah* in this context is synonymous with *tamttuʿ*. Both are derived from the same root and have the same meaning.

xviii. The rulings that apply to a man who is in a state of ceremonial impurity also apply to a menstruating woman.

xix. In Arabic, the equivalents of 'I heard about' and 'I was prevented from' look very similar in written form. Each of the two phrases is given in one word of five letters which differ by two letters only. The first is *samiʿt* and the second is *muniʿt*.

xx. This is an aspect of Islamic practicality. In former times, when pilgrims travelled in caravans, waiting for a woman to finish her period would have delayed a large number of people for several days.

Today, travel arrangements are made well in advance, and flights are booked several days, or even weeks, before the journey. A delay may cause much inconvenience. Hence, Islam waives the duty of the farewell *ṭawāf* in this condition. In other words, such a woman's hajj is complete without it.

CHAPTER 18

THE HAJJ AND THE ʿUMRAH TOGETHER

[2568–145]. (Dar al-Salam 2801) Muhammad ibn al-Muthannā and Ibn Bashshār narrated: Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; he said: I heard Qatādah narrating from Abu Naḍrah. He said: **‘Ibn ʿAbbās used to advise people to choose the *tamattuʿ* method, but Ibn al-Zubayr used to speak against it. I mentioned this to Jābir ibn ʿAbdullāh and he said: “I have witnessed the matter. We performed the *tamattuʿ* when we were with God’s Messenger (peace be upon him)”. When ʿUmar was in full authority, he said: “God permitted His Messenger whatever He willed in whatever way He wished. And the Qur’an is complete. Therefore, perform both the hajj and the ʿumrah to their completion, as God has commanded you. End the [temporary] marital relations with these women. Should I be brought a man who has married a woman for an agreed period, I shall put him to punishment by stoning”.’**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، قَالَ سَمِعْتُ قَتَادَةَ، يُحَدِّثُ عَنْ أَبِي نَضْرَةَ، قَالَ: كَانَ ابْنُ عَبَّاسٍ يَأْمُرُ

بِالـمُتْعَةِ، وَكَانَ ابْنُ الزّبَيْرِ يَنْهَى عَنْهَا. قَالَ: فَذَكَرْتُ ذَلِكَ لِجَابِرِ بْنِ عَبْدِ اللهِ فَقَالَ: عَلَى يَدَيَّ دَارَ الْحَدِيثُ. تَمَتَّعْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَلَمَّا قَامَ عُمَرُ قَالَ: إِنَّ اللَّهَ كَانَ يُحِلُّ لِرَسُولِهِ مَا شَاءَ بِمَا شَاءَ، وَإِنَّ الْقُرْآنَ قَدْ نَزَلَ مَنَازِلَهُ، فَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ كَمَا أَمَرَكُمُ اللهُ. وَأَبِتُّوا نِكَاحَ هَذِهِ النِّسَاءِ، فَلَنْ أُوتَى بِرَجُلٍ نَكَحَ امْرَأَةً إِلَى أَجَلٍ إِلاَّ رَجَمْتُهُ بِالْحِجَارَةِ.

[2569–000].[i] Zuhayr ibn Ḥarb narrated to me: ʿAffān narrated; Hammām narrated; Qatādah narrated; with the same chain of transmission: **the same text but added: ‘Separate your hajj from your ʿumrah. [To separate them] makes your hajj more complete and your ʿumrah more perfect’.**

وَحَدَّثَنِيهِ زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا عَفَّانُ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا قَتَادَةُ، بِهَذَا الإِسْنَادِ، وَقَالَ فِي الْحَدِيثِ: فَافْصِلُوا حَجَّكُمْ مِنْ عُمْرَتِكُمْ، فَإِنَّهُ أَتَمُّ لِحَجِّكُمْ، وَأَتَمُّ لِعُمْرَتِكُمْ.

[2570–146]. (Dar al-Salam 2802) Khalaf ibn Hishām, Abu al-Rabīʿ and Qutaybah narrated:[ii] all from Ḥammād; Khalaf said: Ḥammād ibn Zayd narrated; from Ayyūb; I heard Mujāhid narrating from Jābir ibn ʿAbdullāh. He said: **‘We came with God’s Messenger (peace be upon him) and we were saying, *Labbayk*, intending the hajj. God’s Messenger ordered us to make it an ʿumrah’.**

وَحَدَّثَنَا خَلَفُ بْنُ هِشَامٍ، وَأَبُو الرَّبِيعِ، وَقُتَيْبَةُ، جَمِيعًا عَنْ حَمَّادٍ. قَالَ خَلَفٌ حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، قَالَ سَمِعْتُ مُجَاهِدًا يُحَدِّثُ عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ

عَنْهُمَا، قَالَ: قَدِمْنَا مَعَ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ وَنَحْنُ نَقُولُ لَبَّيْكَ بِالْحَجِّ. فَأَمَرَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ نَجْعَلَهَا عُمْرَةً.

Text Explanation

In the first hadith in this chapter, ʿUmar urges people to ensure that both their hajj and ʿumrah are complete. In the second hadith, No. 2569 he says to them: ‘Separate your hajj from your ʿumrah. [To separate them] makes your hajj more complete and your ʿumrah more perfect’. In hadith No. 2578 which comes later, Abu Mūsā al-Ashʿarī used to tell people that the *tamattuʿ* method is fine, citing the fact that the Prophet ordered him to do it. In the same hadith, ʿUmar says that the Qur’an mentions God’s commandment to perform both the hajj and the ʿumrah to their completion. It is also mentioned that ʿUthmān used to order people not to do the *tamattuʿ* or the ʿumrah,[iii] and that ʿAlī took the contrary view and performed them both together. In hadith No. 2584 Abu Dharr says: ‘The *tamattuʿ* in hajj was special for Muhammad’s Companions alone’. And in hadith No. 2585 it is described as a ‘concession’. And in hadith No. 2590 ʿImrān ibn Ḥuṣayn mentions that ‘the Prophet ordered some members of his household to perform the ʿumrah in the first ten days [of the Dhul-Ḥijjah] and no verse was later revealed to abrogate that’. Then in hadith No. 2594 ʿImrān ibn Ḥuṣayn says: ‘The Prophet combined the hajj and the ʿumrah, and no Qur’an was revealed about it, and he never forbade that’.

Al-Māzarī said: ‘Different opinions have been expressed about the *mitʿah* ʿUmar disapproved of. Some said that he meant changing one’s *iḥrām* from the hajj to the ʿumrah, while others said that he meant performing the ʿumrah in the hajj months and then performing the hajj in the same year. This means that ʿUmar disapproved of it because he wanted to encourage people to do their hajj in the *ifrād* method, which is preferable. He did not mean that such ʿumrah was invalid or forbidden’. *Qadi* ʿIyāḍ said:

> The apparent meaning of the hadiths narrated by Jābir, ʿImrān and Abu Mūsā indicates that the *mitʿah* they differed about was the change of the *iḥrām* from the hajj to the ʿumrah. It was for this action that ʿUmar beat people. He did not beat them for merely doing the ʿumrah in the hajj months. He beat them for doing what he and the rest of the Prophet’s Companions believed, namely, that

changing the *iḥrām* from the hajj to the ʿumrah was special for that particular year and for the purpose we have mentioned. Ibn ʿAbd al-Barr said: ‘There is no disagreement among scholars that the advantage of performing the ʿumrah in the hajj months, before performing the hajj, is the one referred to in the Qur’anic verse that says: ‘he who takes advantage of performing the ʿumrah before the hajj shall make whatever offering he can easily afford’ (2: 196) The *qirān* method is another form of taking advantage because whoever does this method has the comfort of having no need to make a special trip from his home town to Makkah to perform the other duty. Yet another form of taking advantage is to switch one’s *iḥrām* from the hajj to the ʿumrah.

The proper understanding is that ʿUmar, ʿUthmān and others only disapproved of performing ʿumrah in the hajj months and then offering the hajj in the same year. They meant their disapproval to be one of encouraging what is more preferable, which is the *ifrād*. Later, however, unanimity was achieved making it clear that all three methods of *ifrād*, *tamattuʿ* and *qirān* are valid, and none is discouraged. Scholars only differ as to which of the three is more preferable. We have already discussed this point in detail, but God knows best.

As for the other type of *mitʿah*, which means marriage for a stipulated period, it was permissible in the early days of Islam, but was subsequently prohibited at the time of the Battle of Khaybar. It was also permitted on the day Makkah fell to Islam, and this permissibility was abrogated a few days later. Its prohibition remains valid, and it will remain so to the end of time. There was some disagreement about it in the early days, but all such disagreement has been removed, and all scholars are unanimous that such marriage is absolutely forbidden. We shall, God willing, discuss this in detail at the appropriate place in the Book of Marriage.

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i. In Dar al-Salam’s edition, this hadith is added to the previous hadith.

ii. Related by al-Bukhari, 1570.

iii. This is how it occurs in the original text, but it seems to be a mistake and that the correct word should be the *qirān*, as ʿUthmān advised people to do their hajj in the *ifrād* method.

CHAPTER 19

THE PROPHET'S HAJJ

[2571–147]. (Dar al-Salam 2803) Abu Bakr ibn Abi Shaybah and Isḥāq ibn Ibrāhīm narrated:[i] both from Ḥātim; Abu Bakr said: Ḥātim ibn Ismāʿīl al-Madanī narrated; from Jaʿfar ibn Muhammad; from his father. He said: **'We visited Jābir ibn ʿAbdullāh, and he asked about his visitors until he reached me. I said: "I am Muhammad ibn ʿAlī ibn Ḥusayn".[ii] He stretched his hand and put it on my head, then untied my upper button, then my lower button,[iii] then placed his palm [on my chest] in between my breasts. I was then a youth. He said: "Welcome to you, my nephew! Ask whatever you wish". I asked him. He was blind. It was time for prayer. He stood up and he was wearing a sewn sheet, and whenever he placed it on his shoulders, its edges spread apart, because it was small. His upper garment was on the hanger, close to him. He led us in prayer.**

I said [to him]: "Tell me about God's Messenger's hajj". He pointed with his hand indicating nine and said: "God's Messenger (peace be upon him) stayed nine years without offering the hajj. In the tenth year, he announced to people that God's Messenger would be performing the hajj. Large numbers of people arrived in Madinah, all of them eager to join God's Messenger (peace be upon him) and follow his practice. We set out with him. When we were at Dhul-Ḥulayfah, Asmā' bint ʿUmays gave birth to Muhammad ibn

Abu Bakr. She sent a message to God's Messenger, asking: 'What shall I do?' He said: 'Take a bath, then tie up a cloth on you and enter into consecration'. God's Messenger (peace be upon him) prayed in the mosque then rode al-Qaṣwāʾ [his she-camel]. When his mount was moving ahead in the desert, I looked up and, as far as I could see,[i] people were in front of him, riding or walking, and the same was to his right, left and back. God's Messenger was living with us, receiving the Qur'an as it was revealed to him, and he knew its meanings. We emulated him in whatever he did.

The Prophet declared God's oneness, saying: '*Labbayk allāhumma labbayk; labbayk lā sharīka laka labbayk; inna-lḥamda wal-niʿmata laka wal-mulk; lā sharīka lak* [This means I respond to You, my Lord. I respond to You, and You have no partner. I respond. All praise is due to You, and all favours are bestowed by You. All dominion belongs to You. You have no partner]. People declared similar and different phrases as they pleased. The Prophet did not object to anything they said, but he continued to repeat his own declaration".

Jābir said: "We had no intention other than doing the hajj; we did not know the ʿumrah. When we reached the House [i.e., the Kaʿbah] with him, he touched the Black Stone, then [performed the *ṭawāf*] jogging for three rounds and walking the other four. He then moved to Maqām Ibrāhīm and recited: 'Make the place where Abraham stood as a place of prayer' (2: 125), keeping the Maqām between himself and the Kaʿbah, (my father used to say: I am sure that he only mentioned this as done by the Prophet), he recited in the two *rakʿahs* [after the *ṭawāf*]: 'Say: He is God, the One and only God' [Surah 112] and 'Say: Unbelievers' [Surah 109]. He then returned to the Black

Stone and touched it, then exited through the gate towards al-Ṣafa.

When he was close to al-Ṣafa, he recited the verse saying: ‘Al-Ṣafa and al-Marwah are among the symbols set up by God’. (2: 158) [He said]: ‘I start at the one God mentioned first’, and he started at al-Ṣafa, climbing up. When he saw the Kaʿbah, he faced the *qiblah*, declaring God’s oneness and glorifying Him. He said: ‘There is no deity other than God, alone, Who has no partners. To Him belong all dominion and to Him is due all praise. He is able to do everything. There is no deity other than God, alone. He fulfilled His promise, gave victory to His servant, and alone defeated the Confederates’. He also supplicated along with that. He said the same three times. He then went down, going to al-Marwah. When he was at the bottom of the valley, he jogged, and when he started to climb, he walked until he reached al-Marwah. He did on al-Marwah the same as he did on al-Ṣafa.

When he finished his *saʿī* on al-Marwah, he said: ‘Were I to start again, I would not bring my sacrifice with me, and I would have made it an ʿumrah. Those of you who have not brought their sacrifice with them should release themselves from consecration and make this an ʿumrah’. Surāqah ibn Mālik ibn Juʿshum stood up and said: ‘Messenger of God, is this for this year of ours or forever?’ The Prophet crossed his fingers, putting one next to the other, and said: ‘The ʿumrah is incorporated with the hajj (twice). No, it is forever and ever’.

ʿAlī came from Yemen with the Prophet’s camels, and he found that Fāṭimah had released herself from consecration. She wore a coloured dress and applied kohl. He censured her for that. She said: ‘My father ordered me to do it’. ʿAlī used to say later in Iraq: ‘I went to God’s Messenger (peace be upon him)

complaining about Fāṭimah and what she did, seeking his ruling on what she did. I told him that I censured her. He said: "She told the truth. She told the truth. What did you say when you declared your intention for the hajj?"' ʿAlī mentioned that he said: 'My Lord, I declare the same as Your Messenger has declared'. The Prophet said: 'I have my sacrifice with me. Do not release yourself from consecration'. The total of the sacrifice that ʿAlī brought from Yemen and the ones the Prophet brought with him was one hundred.

All people cut their hair and released themselves from consecration, except the Prophet and the ones who brought their sacrifice with them. On the Day of al-Tarwiyah they took the way to Mina, declaring for the hajj. God's Messenger rode [to Mina] praying ẓuhr, ʿAṣr, Maghrib, ʿIshā and Fajr there. He stayed on for a while until the sun had risen. He gave instructions that a small tent made of hair should be set up for him at Namirah.

God's Messenger moved on. The people of Quraysh were certain that he would stop at al-Mashʿar al-Ḥarām [i.e., at Muzdalifah], as they used to do in pre-Islamic days. However, the Prophet moved on until he reached Arafat. He found that a small tent had been set for him at Namirah, and he stopped there. When the sun began to decline, he gave instructions and al-Qaṣwā' [his she-camel] was saddled for him. He moved to the centre of the valley and addressed the people there. He said:

> **Your blood and your property are forbidden to you to violate in the same way as the sanctity of this day of yours, in this month of yours, in this city of yours. All claims pertaining to the Days of Ignorance [i.e., pre-Islamic] are under my two feet and invalid. Vengeance killings of pre-Islamic days are written off. The first killing I write off is that of Ibn Rabīʿah ibn al-Ḥārith:**

he was being nursed in the clan of Banī Saʿd, but the Hudhayl tribe killed him. The usury of pre-Islamic days is hereby written off, and the first usury I thus write off is the one belonging to us [i.e., his clan], the usury of ʿAbbās ibn ʿAbd al-Muṭṭalib. It is all written off.

Fear God in your treatment of women. You take them in trust granted by God, and they become lawful to you by God's word. They have a duty towards you that they do not admit into your homes anyone you dislike. If they do this, you may discipline them without severity. Your duty towards them is to feed and clothe them according to what is reasonable.

I am leaving with you what you shall never go astray if you hold on to it: God's Book. You shall be asked about me, so what will you say? They said: 'We testify that you have delivered your message and given sound counsel'. He pointed with his forefinger to the sky and to the people, and said: 'My Lord, bear witness. My Lord, bear witness' three times.

The *adhān* was then called. The *iqāmah* was announced and the Prophet prayed ẓuhr, then another *iqāmah* was announced and he prayed ʿAṣr. He did not offer any voluntary prayer between them. God's Messenger then mounted and went on until he reached the place. He sat his she-camel, al-Qaṣwāʾ, with her belly towards the rocks, and the place where people gathered in front of him, and he faced the *qiblah*. He remained there until sunset, when the yellowness of the sun faded and the sun had completely disappeared.

He took Usāmah ibn Zayd behind him [on his camel] and moved on, pulling back al-Qaṣwā''s rein, so that her head almost hit its saddle. He pointed with his right hand and said: 'People, be calm! Be calm!' Whenever he reached a hump, he would let off the rein a little so that she could go up. He continued until he reached Muzdalifah where he prayed

Maghrib and ʿIsha, calling one *adhān* and two *iqāmahs*. He did not pray any sunnah in between these two obligatory prayers. God's Messenger then slept until the break of dawn. He prayed Fajr when he ascertained it was time for the prayer, calling the *adhān* and the *iqāmah*. He then mounted al-Qaṣwā', up to al-Mashʿar al-Ḥarām. He faced the *qiblah*, supplicated, glorified God and declared His oneness. He remained there until it was very clear light but moved on before sunrise.

He took behind him al-Faḍl ibn ʿAbbās who was a white, smart young man with fine hair. When God's Messenger moved on, some women passed by him, moving fast. Al-Faḍl looked at them, and God's Messenger put his hand on al-Faḍl's face, but al-Faḍl turned the other way to look at them. The Prophet also moved his hand the other side and put it on al-Faḍl's face, to stop him looking. When the Prophet reached the middle of Muḥassir, he sped a little, then he took the middle road which leads directly to the Grand Jamrah. When he reached the Jamrah near the tree, he threw at it seven small pebbles from the middle of the valley, glorifying God with each pebble. He then left, heading to the slaughter place.

The Prophet sacrificed sixty-three [animals] with his own hand and gave the rest to ʿAlī who slaughtered them. The Prophet included ʿAlī in what he had sacrificed. He then ordered that a piece of meat from every slaughtered animal be put in a saucepan and cooked. Both of them ate of the meat and drank of the sauce. The Prophet then rode on and went to the Kaʿbah [where he performed the *ṭawāf al-ifāḍah*] and prayed ẓuhr in Makkah. He then stopped by Zamzam where men from the ʿAbd al-Muṭṭalib clan were giving people water to drink. He said to them: 'Draw up the water, Banī ʿAbd al-Muṭṭalib. Were it not for fear that other people would compete with and

overwhelm you for your water, I would come to help you draw the water’. They handed him a bucket and he drank of it”.’

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، جَمِيعًا عَنْ حَاتِمٍ، قَالَ أَبُو بَكْرٍ حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ الْـمَدَنِيُّ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، قَالَ: دَخَلْنَا عَلَى جَابِرِ بْنِ عَبْدِ اللهِ فَسَأَلَ عَنِ الْقَوْمِ، حَتَّى انْتَهَى إِلَيَّ فَقُلْتُ: أَنَا مُحَمَّدُ بْنُ عَلِيِّ بْنِ حُسَيْنٍ،. فَأَهْوَى بِيَدِهِ إِلَى رَأْسِي، فَنَزَعَ زِرِّي الأَعْلَى، ثُمَّ نَزَعَ زِرِّي الأَسْفَلَ، ثُمَّ وَضَعَ كَفَّهُ بَيْنَ ثَدْيَيَّ، وَأَنَا يَوْمَئِذٍ غُلاَمٌ شَابٌّ فَقَالَ: مَرْحَبًا بِكَ يَا ابْنَ أَخِي، سَلْ عَمَّا شِئْتَ. فَسَأَلْتُهُ، وَهُوَ أَعْمَى. وَحَضَرَ وَقْتُ الصَّلاَةِ، فَقَامَ فِي نِسَاجَةٍ مُلْتَحِفًا بِهَا، كُلَّمَا وَضَعَهَا عَلَى مَنْكِبِهِ رَجَعَ طَرَفَاهَا إِلَيْهِ مِنْ صِغَرِهَا، وَرِدَاؤُهُ إِلَى جَنْبِهِ عَلَى الْـمِشْجَبِ، فَصَلَّى بِنَا.

فَقُلْتُ: أَخْبِرْنِي عَنْ حَجَّةِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَقَالَ بِيَدِهِ، فَعَقَدَ تِسْعًا فَقَالَ: إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَكَثَ تِسْعَ سِنِينَ لَمْ يَحُجَّ، ثُمَّ أَذَّنَ فِي النَّاسِ فِي الْعَاشِرَةِ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَاجٌّ، فَقَدِمَ الْـمَدِينَةَ بَشَرٌ كَثِيرٌ، كُلُّهُمْ يَلْتَمِسُ أَنْ يَأْتَمَّ بِرَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَيَعْمَلَ مِثْلَ عَمَلِهِ. فَخَرَجْنَا مَعَهُ حَتَّى أَتَيْنَا ذَا الْحُلَيْفَةِ، فَوَلَدَتْ أَسْمَاءُ بِنْتُ عُمَيْسٍ مُحَمَّدَ بْنَ أَبِي بَكْرٍ، فَأَرْسَلَتْ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: كَيْفَ أَصْنَعُ؟ قَالَ: «اغْتَسِلِي، وَاسْتَثْفِرِي بِثَوْبٍ وَأَحْرِمِي». فَصَلَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي الْـمَسْجِدِ، ثُمَّ رَكِبَ الْقَصْوَاءَ. حَتَّى

إِذَا اسْتَوَتْ بِهِ نَاقَتُهُ عَلى البَيْدَاءِ، نَظرْتُ إِلى مَدِّ بَصَرِي بَيْنَ يَدَيْهِ مِنْ رَاكِبٍ وَمَاشٍ، وَعَنْ يَمِينِهِ مِثْلَ ذَلِكَ، وَعَنْ يَسَارِهِ مِثْلَ ذَلِكَ، وَمِنْ خَلْفِهِ مِثْلَ ذَلِكَ. وَرَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَيْنَ أَظْهُرِنَا، وَعَلَيْهِ يَنْزِلُ الْقُرْآنُ، وَهُوَ يَعْرِفُ تَأْوِيلَهُ. وَمَا عَمِلَ بِهِ مِنْ شَىْءٍ عَمِلْنَا بِهِ.

فَأَهَلَّ بِالتَّوْحِيدِ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ. لَبَّيْكَ لاَ شَرِيكَ لَكَ لَبَّيْكَ. إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْـمُلْكَ، لاَ شَرِيكَ لَكَ». وَأَهَلَّ النَّاسُ بِهَذَا الَّذِي يُهِلُّونَ بِهِ، فَلَمْ يَرُدَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَيْهِمْ شَيْئًا مِنْهُ. وَلَزِمَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ تَلْبِيَتَهُ.

قَالَ جَابِرٌ، رَضِيَ اللهُ عَنْهُ، لَسْنَا نَنْوِي إِلاَّ الْحَجَّ، لَسْنَا نَعْرِفُ الْعُمْرَةَ. حَتَّى إِذَا أَتَيْنَا الْبَيْتَ مَعَهُ، اسْتَلَمَ الرُّكْنَ، فَرَمَلَ ثَلاَثًا وَمَشَى أَرْبَعًا. ثُمَّ نَفَذَ إِلَى مَقَامِ إِبْرَاهِيمَ عَلَيْهِ السَّلاَمُ، فَقَرَأَ: «وَاتَّخِذُوا مِنْ مَقَامِ إِبْرَاهِيمَ مُصَلًّى»، فَجَعَلَ الْـمَقَامَ بَيْنَهُ وَبَيْنَ الْبَيْتِ. فَكَانَ أَبِي يَقُولُ - وَلاَ أَعْلَمُهُ ذَكَرَهُ إِلاَّ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ - كَانَ يَقْرَأُ فِي الرَّكْعَتَيْنِ «قُلْ هُوَ اللهُ أَحَدٌ» وَ «قُلْ يَا أَيُّهَا الْكَافِرُونَ». ثُمَّ رَجَعَ إِلَى الرُّكْنِ، فَاسْتَلَمَهُ. ثُمَّ خَرَجَ مِنَ الْبَابِ إِلَى الصَّفَا.

فَلَمَّا دَنَا مِنَ الصَّفَا قَرَأَ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ». أَبْدَأُ بِمَا بَدَأَ اللهُ بِهِ. فَبَدَأَ بِالصَّفَا فَرَقِيَ عَلَيْهِ، حَتَّى رَأَى الْبَيْتَ فَاسْتَقْبَلَ الْقِبْلَةَ، فَوَحَّدَ اللَّهَ وَكَبَّرَهُ، وَقَالَ: «لا

إِلهَ إِلاَ اللهُ وَحْدَهُ لاَ شَرِيكَ لهُ. لهُ الـمُلكَ وَلهُ الحَمْدُ، وَهُوَ عَلَى كَلِّ شَىْءٍ قَدِيرٌ. لا إِلَهَ إِلاَّ اللهُ وَحْدَهُ، أَنْجَزَ وَعْدَهُ، وَنَصَرَ عَبْدَهُ، وَهَزَمَ الأَحْزَابَ وَحْدَهُ». ثُمَّ دَعَا بَيْنَ ذَلِكَ. قَالَ مِثْلَ هَذَا ثَلاَثَ مَرَّاتٍ. ثُمَّ نَزَلَ إِلَى الْـمَرْوَةِ، حَتَّى إِذَا انْصَبَّتْ قَدَمَاهُ فِي بَطْنِ الْوَادِي سَعَى، حَتَّى إِذَا صَعِدَتَا مَشَى، حَتَّى أَتَى الْـمَرْوَةَ فَفَعَلَ عَلَى الْـمَرْوَةِ كَمَا فَعَلَ عَلَى الصَّفَا.

حَتَّى إِذَا كَانَ آخِرُ طَوَافِهِ عَلَى الْـمَرْوَةِ فَقَالَ: «لَوْ أَنِّي اسْتَقْبَلْتُ مِنْ أَمْرِي مَا اسْتَدْبَرْتُ لَمْ أَسُقِ الْهَدْيَ وَجَعَلْتُهَا عُمْرَةً. فَمَنْ كَانَ مِنْكُمْ لَيْسَ مَعَهُ هَدْيٌ فَلْيَحِلَّ وَلْيَجْعَلْهَا عُمْرَةً». فَقَامَ سُرَاقَةُ بْنُ مَالِكِ بْنِ جُعْشُمٍ فَقَالَ: يَا رَسُولَ اللهِ، أَلِعَامِنَا هَذَا أَمْ لأَبَدٍ؟ فَشَبَّكَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَصَابِعَهُ وَاحِدَةً فِي الأُخْرَى، وَقَالَ: «دَخَلَتِ الْعُمْرَةُ فِي الْحَجِّ - مَرَّتَيْنِ – لا، بَلْ لأَبَدٍ أَبَدٍ».

وَقَدِمَ عَلِيٌّ مِنَ الْيَمَنِ بِبُدْنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَوَجَدَ فَاطِمَةَ، رَضِيَ اللهُ عَنْهَا، مِمَّنْ حَلَّ، وَلَبِسَتْ ثِيَابًا صَبِيغًا وَاكْتَحَلَتْ. فَأَنْكَرَ ذَلِكَ عَلَيْهَا، فَقَالَتْ: إِنَّ أَبِي أَمَرَنِي بِهَذَا. قَالَ: فَكَانَ عَلِيٌّ يَقُولُ بِالْعِرَاقِ: فَذَهَبْتُ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُحَرِّشًا عَلَى فَاطِمَةَ، لِلَّذِي صَنَعَتْ، مُسْتَفْتِيًا لِرَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِيمَا ذَكَرَتْ عَنْهُ. فَأَخْبَرْتُهُ أَنِّي أَنْكَرْتُ ذَلِكَ عَلَيْهَا، فَقَالَ: «صَدَقَتْ، صَدَقَتْ. مَاذَا قُلْتَ حِينَ فَرَضْتَ

الحَجّ»؟ قَالَ: قَلتُ اللهُمَّ إِنّي اهِلّ بِمَا اهَلّ بِهِ رَسُولكَ. قَالَ: «فَإِنَّ مَعِيَ الْهَدْيَ فَلاَ تَحِلُّ». قَالَ: فَكَانَ جَمَاعَةُ الْهَدْيِ الَّذِي قَدِمَ بِهِ عَلِيٌّ مِنَ الْيَمَنِ وَالَّذِي أَتَى بِهِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِائَةً.

قَالَ: فَحَلَّ النَّاسُ كُلُّهُمْ وَقَصَّرُوا، إِلاَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَمَنْ كَانَ مَعَهُ هَدْيٌ. فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ، تَوَجَّهُوا إِلَى مِنًى فَأَهَلُّوا بِالْحَجِّ. وَرَكِبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَصَلَّى بِهَا الظُّهْرَ وَالْعَصْرَ وَالْـمَغْرِبَ وَالْعِشَاءَ وَالْفَجْرَ، ثُمَّ مَكَثَ قَلِيلاً حَتَّى طَلَعَتِ الشَّمْسُ. وَأَمَرَ بِقُبَّةٍ مِنْ شَعَرٍ تُضْرَبُ لَهُ بِنَمِرَةَ.

فَسَارَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَلاَ تَشُكُّ قُرَيْشٌ إِلاَّ أَنَّهُ وَاقِفٌ عِنْدَ الْـمَشْعَرِ الْحَرَامِ، كَمَا كَانَتْ قُرَيْشٌ تَصْنَعُ فِي الْجَاهِلِيَّةِ. فَأَجَازَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَتَّى أَتَى عَرَفَةَ، فَوَجَدَ الْقُبَّةَ قَدْ ضُرِبَتْ لَهُ بِنَمِرَةَ، فَنَزَلَ بِهَا. حَتَّى إِذَا زَاغَتِ الشَّمْسُ أَمَرَ بِالْقَصْوَاءِ فَرُحِلَتْ لَهُ. فَأَتَى بَطْنَ الْوَادِي، فَخَطَبَ النَّاسَ وَقَالَ: «إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ حَرَامٌ عَلَيْكُمْ، كَحُرْمَةِ يَوْمِكُمْ هَذَا، فِي شَهْرِكُمْ هَذَا، فِي بَلَدِكُمْ هَذَا. أَلا كُلُّ شَىْءٍ مِنْ أَمْرِ الْجَاهِلِيَّةِ تَحْتَ قَدَمَيَّ مَوْضُوعٌ. وَدِمَاءُ الْجَاهِلِيَّةِ مَوْضُوعَةٌ، وَإِنَّ أَوَّلَ دَمٍ أَضَعُ مِنْ دِمَائِنَا دَمُ ابْنِ رَبِيعَةَ بْنِ الْحَارِثِ. كَانَ مُسْتَرْضِعًا فِي بَنِي سَعْدٍ، فَقَتَلَتْهُ هُذَيْلٌ. وَرِبَا الْجَاهِلِيَّةِ مَوْضُوعٌ، وَأَوَّلُ رِبًا أَضَعُ رِبَانَا: رِبَا عَبَّاسِ بْنِ عَبْدِ الْـمُطَّلِبِ، فَإِنَّهُ مَوْضُوعٌ كُلُّهُ.

«فَاتّقُوا اللهَ فِي النِّسَاءِ، فَإِنّكمْ اخَذْتُمُوهُنَّ بِامَانِ اللهِ، وَاسْتَحْلَلْتُمْ فُرُوجَهُنَّ بِكَلِمَةِ اللهِ. وَلَكُمْ عَلَيْهِنَّ أَنْ لاَ يُوطِئْنَ فُرُشَكُمْ أَحَدًا تَكْرَهُونَهُ. فَإِنْ فَعَلْنَ ذَلِكَ فَاضْرِبُوهُنَّ ضَرْبًا غَيْرَ مُبَرِّحٍ. وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْـمَعْرُوفِ.

«وَقَدْ تَرَكْتُ فِيكُمْ مَا لَنْ تَضِلُّوا بَعْدَهُ، إِنِ اعْتَصَمْتُمْ بِهِ: كِتَابَ اللهِ. وَأَنْتُمْ تُسْأَلُونَ عَنِّي، فَمَا أَنْتُمْ قَائِلُونَ»؟ قَالُوا: نَشْهَدُ أَنَّكَ قَدْ بَلَّغْتَ وَأَدَّيْتَ وَنَصَحْتَ. فَقَالَ بِإِصْبَعِهِ السَّبَّابَةِ يَرْفَعُهَا إِلَى السَّمَاءِ، وَيَنْكُتُهَا إِلَى النَّاسِ: «اللَّهُمَّ اشْهَدِ، اللَّهُمَّ اشْهَدْ». ثَلاَثَ مَرَّاتٍ».

ثُمَّ أَذَّنَ ثُمَّ أَقَامَ، فَصَلَّى الظُّهْرَ، ثُمَّ أَقَامَ فَصَلَّى الْعَصْرَ، وَلَمْ يُصَلِّ بَيْنَهُمَا شَيْئًا. ثُمَّ رَكِبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَتَّى أَتَى الْـمَوْقِفَ، فَجَعَلَ بَطْنَ نَاقَتِهِ الْقَصْوَاءِ إِلَى الصَّخَرَاتِ، وَجَعَلَ حَبْلَ الْـمُشَاةِ بَيْنَ يَدَيْهِ وَاسْتَقْبَلَ الْقِبْلَةَ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى غَرَبَتِ الشَّمْسُ وَذَهَبَتِ الصُّفْرَةُ قَلِيلاً، حَتَّى غَابَ الْقُرْصُ.

وَأَرْدَفَ أُسَامَةَ خَلْفَهُ، وَدَفَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَقَدْ شَنَقَ لِلْقَصْوَاءِ الزِّمَامَ، حَتَّى إِنَّ رَأْسَهَا لَيُصِيبُ مَوْرِكَ رَحْلِهِ، وَيَقُولُ بِيَدِهِ الْيُمْنَى: «أَيُّهَا النَّاسُ، السَّكِينَةَ السَّكِينَةَ». كُلَّمَا أَتَى حَبْلاً مِنَ الْحِبَالِ، أَرْخَى لَهَا قَلِيلاً حَتَّى تَصْعَدَ، حَتَّى أَتَى الْـمُزْدَلِفَةَ، فَصَلَّى بِهَا الْـمَغْرِبَ وَالْعِشَاءَ بِأَذَانٍ وَاحِدٍ وَإِقَامَتَيْنِ، وَلَمْ يُسَبِّحْ

بَيْنَهُمَا شَيْئًا. ثُمَّ اضْطجَعَ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ حَتَّى طَلَعَ الْفَجْرُ، وَصَلَّى الْفَجْرَ، حِينَ تَبَيَّنَ لَهُ الصُّبْحُ، بِأَذَانٍ وَإِقَامَةٍ، ثُمَّ رَكِبَ الْقَصْوَاءَ حَتَّى أَتَى الْـمَشْعَرَ الْحَرَامَ، فَاسْتَقْبَلَ الْقِبْلَةَ. فَدَعَاهُ وَكَبَّرَهُ وَهَلَّلَهُ وَوَحَّدَهُ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى أَسْفَرَ جِدًّا، فَدَفَعَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ.

وَأَرْدَفَ الْفَضْلَ بْنَ عَبَّاسٍ، وَكَانَ رَجُلاً حَسَنَ الشَّعْرِ أَبْيَضَ وَسِيمًا. فَلَمَّا دَفَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَرَّتْ بِهِ ظُعُنٌ يَجْرِينَ، فَطَفِقَ الْفَضْلُ يَنْظُرُ إِلَيْهِنَّ. فَوَضَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَدَهُ عَلَى وَجْهِ الْفَضْلِ، فَحَوَّلَ الْفَضْلُ وَجْهَهُ إِلَى الشِّقِّ الآخَرِ يَنْظُرُ، فَحَوَّلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَدَهُ مِنَ الشِّقِّ الآخَرِ عَلَى وَجْهِ الْفَضْلِ، يَصْرِفُ وَجْهَهُ مِنَ الشِّقِّ الآخَرِ يَنْظُرُ. حَتَّى أَتَى بَطْنَ مُحَسِّرٍ، فَحَرَّكَ قَلِيلاً. ثُمَّ سَلَكَ الطَّرِيقَ الْوُسْطَى الَّتِي تَخْرُجُ عَلَى الْجَمْرَةِ الْكُبْرَى، حَتَّى أَتَى الْجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ، فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِنْهَا، مِثْلِ حَصَى الْخَذْفِ. رَمَى مِنْ بَطْنِ الْوَادِي ثُمَّ انْصَرَفَ إِلَى الْـمَنْحَرِ.

فَنَحَرَ ثَلاَثًا وَسِتِّينَ بِيَدِهِ، ثُمَّ أَعْطَى عَلِيًّا فَنَحَرَ مَا غَبَرَ، وَأَشْرَكَهُ فِي هَدْيِهِ. ثُمَّ أَمَرَ مِنْ كُلِّ بَدَنَةٍ بِبَضْعَةٍ، فَجُعِلَتْ فِي قِدْرٍ فَطُبِخَتْ، فَأَكَلاَ مِنْ لَحْمِهَا، وَشَرِبَا مِنْ مَرَقِهَا. ثُمَّ رَكِبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَفَاضَ إِلَى الْبَيْتِ، فَصَلَّى بِمَكَّةَ الظُّهْرَ. فَأَتَى بَنِي عَبْدِ الْـمُطَّلِبِ

يَسْقُونَ عَلى زَمْزَمَ، فَقَالَ: «انْزِعُوا بَنِي عَبْدِ الـمُطلِبِ، فَلَوْلاَ أَنْ يَغْلِبَكُمُ النَّاسُ عَلَى سِقَايَتِكُمْ لَنَزَعْتُ مَعَكُمْ». فَنَاوَلُوهُ دَلْوًا فَشَرِبَ مِنْهُ.

[2572–148]. (Dar al-Salam 2804) ʿUmar ibn Ḥafṣ ibn Ghiyāth narrated: my father narrated; Jaʿfar ibn Muhammad narrated; my father narrated to me; he said: I visited Jābir ibn ʿAbdullāh and asked him about God’s Messenger’s hajj. He narrated the hadith in similar terms to Ḥātim ibn Ismāʿīl’s narration but added: **‘The Arabs used to be driven on by Abu Sayyārah, using an unsaddled donkey. When God’s Messenger (peace be upon him) passed by al-Mashʿar al-Ḥarām, the Quraysh had no doubt that he would stop there and make it his place of attendance. But he moved on and did not wait there but proceeded until he reached Arafat and stopped there’.**

وَحَدَّثَنَا عُمَرُ بْنُ حَفْصِ بْنِ غِيَاثٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا جَعْفَرُ بْنُ مُحَمَّدٍ، حَدَّثَنِي أَبِي، قَالَ: أَتَيْتُ جَابِرَ بْنَ عَبْدِ اللهِ فَسَأَلْتُهُ عَنْ حَجَّةِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. وَسَاقَ الْحَدِيثَ بِنَحْوِ حَدِيثِ حَاتِمِ بْنِ إِسْمَاعِيلَ، وَزَادَ فِي الْحَدِيثِ: وَكَانَتِ الْعَرَبُ يَدْفَعُ بِهِمْ أَبُو سَيَّارَةَ عَلَى حِمَارٍ عُرْيٍ، فَلَمَّا أَجَازَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنَ الْـمُزْدَلِفَةِ بِالْـمَشْعَرِ الْحَرَامِ، لَمْ تَشُكَّ قُرَيْشٌ أَنَّهُ سَيَقْتَصِرُ عَلَيْهِ، وَيَكُونُ مَنْزِلُهُ. ثَمَّ فَأَجَازَ وَلَمْ يَعْرِضْ لَهُ، حَتَّى أَتَى عَرَفَاتٍ فَنَزَلَ.

Text Explanation

Note: As this hadith is very long and describes the entire journey of the Prophet's hajj, we shall quote the text in bold, part by part, as the commentary moves along, explaining the Prophet's hajj and the rulings deduced from it.

This hadith includes Jābir's narration describing the Prophet's hajj. It is a fascinating hadith that includes a large number of very interesting points and explains some very important rules. It is one of the hadiths that Muslim entered in his *Ṣaḥīḥ*, but al-Bukhari did not. Abu Dāwūd relates it in the same language as Muslim. *Qadi* ʿIyāḍ said: 'Scholars have discussed in detail what the hadith includes of points of Fiqh. Abu Bakr ibn al-Mundhir wrote a volume about it, highlighting more than 150 such points. A more comprehensive study would probably add a similar number'. We identified some of its aspects when we commented on previous hadiths, and we will now highlight other elements as we discuss the hadith narrative point by point.

The hadith begins with the visit paid by a group of people to Jābir ibn ʿAbdullāh, a companion of the Prophet, who became blind in his old age. The narrator, Muhammad ibn ʿAlī, who at the time of the visit was perhaps not much above adolescence, was the great grandson of Fāṭimah, the Prophet's daughter. The beginning of the hadith, which speaks about Jābir's reception of his visitors, provides us with several interesting points. It shows that it is desirable for a host to enquire about his visitors so that he places them in their rightful positions. ʿĀ'ishah reports: 'God's Messenger (peace be upon him) commanded us to place people in their rightful positions'. Those who belong to the Prophet's family should always be honoured, as we see Jābir treating Muhammad ibn ʿAlī. A host should receive his visitors well and make them feel that they are welcome. Hence, why Jābir gave Muhammad ibn ʿAlī special treatment, unfastened the two buttons of his shirts and placed his hand on his chest. Muhammad says: **'I was still a youth'**. This confirms that Jābir's gesture was to express a special welcome to a young visitor. Had he been an adult, this action would not have been fitting.

Another point of interest is that it is permissible for a blind man to lead the prayer when no one in the congregation is similarly blind. However, scholars hold three different views on which is better. The first view gives preference to the blind man being the imam because he is normally more attentive to his worship, as he is not distracted by what is in front of him. The second view prefers the imam to be the one with normal eyesight because he is more careful in steering away from impurities. The third view, which our scholars consider the most correct, is that the two are equal. This is what al-Shāfiʿī states. The opening of the hadith also shows that the homeowner has the right to be the imam. It also shows that it is permissible to pray wearing one garment, even though one can have more.

Jābir invites his young visitor to ask any question, and Muhammad ibn ʿAlī wanted to learn about the Prophet's hajj. Jābir mentions that **'God's Messenger (peace be upon him) had gone for nine years without offering the hajj'**. The Prophet stayed for nine years in Madinah after his migration there and, **'in the tenth year, he announced to people that God's Messenger would be performing the hajj.'** He gave this information early enough so that people could make their arrangements to join him, see his actions, listen to what he said, and learn all the duties and practices of the hajj. His early announcement also ensured that the information would circulate, and those who were away, or lived far from Madinah, would hear of it. Thus, we learn that it is desirable for a leader to give early notice of important matters so that people may ready themselves.

The announcement brought large numbers of people to Madinah, **'all of them eager to join God's Messenger (peace be upon him) and follow his practice'.** *Qadi* ʿIyāḍ said: 'This indicates that they all started their consecration declaring for the hajj because the Prophet did so, and they would not do anything different. Hence, Jābir said that they emulated him in whatever he did. Similarly, they were reluctant to release themselves from *iḥrām* after their ʿumrah because he did not release himself. Hence, he stated the reason for this. Likewise, ʿAlī and Abu Mūsā, who were away, did not specify their consecration but attached it to that of the Prophet's'.

When Asmā' gave birth, shortly after the start of the journey, the Prophet instructed her: **'Take a bath, then tie up a cloth on you and enter into consecration'.** It is clear from the Prophet's instructions that taking a

bath for *iḥrām* is desirable for a woman who has recently given birth, we discussed this in Chapter 16. The Prophet also ordered her to tie a cloth around herself. This applies to a woman who has a discharge, whether it is postnatal, menstruation or other bleeding. She should place a piece of cloth [or a disposable pad, if this is available to her] to cover the place of discharge, firmly securing it. The Prophet's instructions make clear that the *iḥrām* of a woman during her postnatal period is perfectly valid. This is unanimously agreed upon, but God knows best.

'God's Messenger (peace be upon him) prayed in the mosque then rode al-Qaṣwā''. This shows that it is desirable to pray two *rakʿahs* as one enters into the state of consecration, as we discussed earlier. Al-Qaṣwā' is the name of the Prophet's she-camel. Different reports give different names and descriptions of the Prophet's she-camel, which led to people saying that he had a choice of several camels to ride. The fact that there are many names and descriptions actually suggests that it was just the one camel and that these were descriptions of what she was or what she looked like.

'I looked up and, as far as I could see, people were in front of him, riding or walking.' This shows that it is perfectly permissible to perform the hajj riding or walking. This is unanimously agreed upon, as it is clearly indicated in many hadiths and mentioned in the Qur'an. God says: 'Proclaim to all people the duty of hajj. They will come to you on foot and on every kind of fast mount'. (22: 27) Scholars differ as to which is better. Mālik, al-Shāfiʿī and the majority of scholars say that having a means of transport is better because it emulates the Prophet's action, makes the pilgrim less tired and better able to attend to his hajj duties and increases his cost.[i] Dāwūd said walking is preferable because it is harder. This is wrong because making things hard is neither desirable nor encouraged.

'God's Messenger was living with us, receiving the Qur'an as it was revealed to him, and he knew its meanings'. Thus, Jābir urges his visitors to do what he told them with regard to what the Prophet did during his hajj.

The Prophet declared God's oneness, saying: "*Labbayk allāhum-ma labbayk; labbayk lā sharīka laka labbayk; inna-lḥamda wal-niʿmata laka wal-mulk; lā sharīka lak* [This means I respond to You, my Lord. I respond to You, and You have no partner. I respond. All praise is due to You, and all favours are bestowed by You. All dominion belongs to You.

You have no partner]". People declared similar and different phrases as they pleased. The Prophet did not object to anything they said, but he continued to repeat his own declaration'. The Prophet's declaration of God's oneness was also meant to emphasise the departure from what the idolaters used to add in their own declarations, stressing their belief in the partners they alleged that God had. *Qadi* ʿIyāḍ said:

> This refers to what people might add to the *talbiyah*, praising God and stressing His attributes. It is reported that ʿUmar used to add: "I respond to You, the One who grants fine bounties and bestows grace. I respond to You, fearing You and hoping from You". Ibn ʿUmar is also reported to have added: "I unhesitatingly respond to You. All goodness is in Your hand, and all hope is with You and all action is dedicated to You". Anas used to say: "I respond to You in truth, worship and servitude". However, most scholars agree that it is preferable to stick to what the Prophet (peace be upon him) said. This is agreed upon by both Mālik and al-Shāfiʿī, and God knows best.

Jābir said: "We had no intention other than doing the hajj; we did not know the ʿumrah. When we reached the House [i.e., the Kaʿbah] with him, he touched the Black Stone, then [performed the *ṭawāf*] jogging for three rounds and walking the other four".' Jābir's words about the intention serve as evidence in support of the view that the *ifrād* method is preferable. We discussed this question in detail early in the previous chapter. The Prophet and his Companions went first to the Kaʿbah. It is a sunnah that a pilgrim goes to Makkah before going to Arafat. In Makkah, a pilgrim performs the *ṭawāf* of arrival, which is a strongly recommended sunnah, as agreed by all scholars. It is clear from the hadith that the *ṭawāf* is to go around the Kaʿbah seven times. The hadith shows that it is a sunnah to jog the first three rounds and walk the other four. Scholars say that the jogging mentioned here means the fastest walk with short steps. Our scholars maintain that jogging is recommended in one *ṭawāf* only in either the hajj or the ʿumrah. If one performs the *ṭawāf* voluntarily, not as a part of the hajj or ʿumrah duties, no jogging is recommended.

Again, we say that speed is not recommended in all *ṭawāfs* of the hajj. It is recommended in one *ṭawāf* only. Two well-known opinions are expressed by al-Shāfiʿī, and the more correct of the two is that it is recommended in a *ṭawāf* followed by *saʿi*. This may take place in the *ṭawāf* of arrival or the *ṭawāf* of *ifāḍah*, but not in the *ṭawāf* of farewell. The second opinion is that speed may be exercised only in the *ṭawāf* of arrival, whether the pilgrim wants to do the *saʿī* after it or not. One may be speedy in the *ṭawāf* of the ʿumrah, as it includes only one *ṭawāf*, but God knows best.

Iḍṭibāʿ is recommended for men in *ṭawāf*. This entails keeping one's right shoulder bare. This is done by placing the middle of one's upper garment, which is only a large piece of cloth, under one's right shoulder and bringing its two ends over one's left shoulder. An authentic hadith entered in the *Sunan* anthologies of Abu Dāwūd, al-Tirmidhī and others mentions it. Scholars say that the *iḍṭibāʿ* is recommended only in a *ṭawāf* in which jogging is recommended, as we mentioned in detail, but God knows best.

'He touched the Black Stone' means that he wiped it with his hand. This is a sunnah in every *ṭawāf*, and we will explain it further when Muslim mentions it later.

He then moved to Maqām Ibrāhīm and recited: "Make the place where Abraham stood as a place of prayer". (2: 125), keeping the Maqām between himself and the Kaʿbah'. This is evidence in support of what scholars are agreed upon, that whoever performs the *ṭawāf* should offer a prayer of two *rakʿahs* behind Maqām Ibrāhīm after finishing his *ṭawāf*. Scholars differ as to whether these two *rakʿahs* are a duty or a sunnah. Their difference gives us three views, the most correct of which is that they are a sunnah, i.e., strongly recommended. The second view is that they are a duty. The third view says that they are a duty if the *ṭawāf* itself is a duty, but if it is a sunnah *ṭawāf*, the two *rakʿahs* are also a sunnah. Whether we take the view that they are a duty or a sunnah, if one omits them, one's *ṭawāf* remains valid.

The recommended practice is to offer these two *rakʿahs* behind Maqām Ibrāhīm, and if not there, then at al-Ḥijr. If not in either of these two places, then in the mosque, or else in Makkah or anywhere in the Ḥaram area. If one offers these two *rakʿahs* in his own hometown, thousands of miles away, this is permissible, but one misses on what is preferable. This prayer

remains due for the rest of one's life. If one wants to do several *ṭawāfs*, it is preferable that one should offer two *rakʿahs* after each *ṭawāf* of seven rounds. If one prefers to do several *ṭawāfs* without offering a prayer in between each two, then at the end prays two *rakʿahs* for each *ṭawāf*, this is permissible according to our scholars, but it is contrary to what is preferable. This does not mean that it is discouraged or *makrūh*. Scholars who share this view include al-Miswar ibn Makhramah, ʿĀ'ishah, Ṭāwūs, ʿAṭā', Saʿīd ibn Jubayr; Ahmad, Isḥāq and Abu Yūsuf. Other scholars expressed discouragement including Ibn ʿUmar, al-Ḥasan al-Baṣrī, al-Zuhrī, Mālik, al-Thawrī, Abu Ḥanīfah, Abu Thawr, Muhammad ibn al-Ḥasan and Ibn al-Mundhir. *Qadi* ʿIyāḍ says that this view is agreed upon by the majority of scholars.

(my father used to say: I am sure that he only mentioned this as done by the Prophet) he recited in the two *rakʿahs* [after the *ṭawāf*] "Say: He is God, the One and only God" [Surah 112] and "Say: Unbelievers" [Surah 109]'. This means that Jaʿfar ibn Muhammad narrated this hadith from his father, from Jābir. Jaʿfar said that his father, Muhammad, said that he recited these two surahs, but I do not know that he meant that Jābir recited them when he led the prayer, but it was the Prophet who recited them in the two *rakʿahs* after the *ṭawāf*. Although the two surahs are mentioned with the later one first, the meaning is that in the first *rakʿah* the Prophet recited Surah 109 and in the second *rakʿah* recited Surah 112. Al-Bayhaqi narrated with a sound chain of transmission, meeting Muslim's conditions of authenticity, from Jaʿfar ibn Muhammad, from his father, from Jābir that 'the Prophet performed the *ṭawāf* at the Kaʿbah, jogging in three rounds and beginning at the Black Stone. When he finished, he prayed two *rakʿahs*, reciting "Say: Unbelievers" [Surah 109] and "Say: He is God, the One and only God". [Surah 112]'.

He then returned to the Black Stone and touched it, then exited through the gate towards al-Ṣafa'. This confirms what al-Shāfiʿī and other scholars said that it is desirable that when a person has finished the *ṭawāf* of arrival and prayed two *rakʿahs* behind Maqām Ibrāhīm, it is desirable to return to the Black Stone and touch it before exiting through the gate towards al-Ṣafa. They are agreed that this is not a duty but a sunnah, which means that if omitted, it requires no compensation.

When he was close to al-Ṣafa, he recited the verse saying: "Al-Ṣafa and al-Marwah are among the symbols set up by God". (2: 158) [He said]: "I start at the one God mentioned first", and he started at al-Ṣafa, climbing up. When he saw the Kaʿbah, he faced the *qiblah*, declaring God's oneness and glorifying Him. He said: "There is no deity other than God, alone, Who has no partners. To Him belong all dominion and to Him is due all praise. He is able to do everything. There is no deity other than God, alone. He fulfilled His promise, gave victory to His servant, and alone defeated the Confederates". He also supplicated along with that. He said the same three times. He then went down, going to al-Marwah'. This part of the hadith mentions several aspects of the hajj worship. The first point is that the *saʿī* must start at al-Ṣafa. This is the view of al-Shāfiʿī, Mālik and the majority of scholars. It is confirmed in al-Nasā'ī's narration, with a sound chain of transmission, that the Prophet said in the plural form: 'Start with the one God has started with'. Another aspect is that one should go up both al-Ṣafa and al-Marwah hills. This is a point on which scholars have differed. The majority of our scholars say that it is a sunnah, neither a duty nor a condition. This means that if one does not go up these two hills, one's *saʿī* remains valid, although his action is contrary to what is best. However, Abu Ḥafṣ ibn al-Wakīl, a Shāfiʿī scholar, says that the *saʿī* is not valid unless one goes up a part of al-Ṣafa. The correct view is the first one. Our scholars say that it is a condition that one does not leave any distance between al-Ṣafa and al-Marwah uncovered. Therefore, one should make one's heels touch al-Ṣafa and when reaching al-Marwah one should make one's toes touch it. This applies in all seven rounds. Our scholars add that it is desirable that one should go up al-Ṣafa and al-Marwah high enough to be able to see the Kaʿbah, if possible. Further, it is a sunnah to stand on al-Ṣafa, facing the Kaʿbah, glorifying God and supplicating, repeating one's glorification and supplication three times. This is what is well known among our scholars. Some scholars say that the glorification is repeated three times and the supplication twice, but the first is the correct view.

The Prophet said that God 'alone defeated the Confederates'. This means that He defeated them without any help or fighting by Muslims. The Confederates were the Arabian and Jewish tribes that forged an alliance to

exterminate the Prophet and all Muslims, in what is known as the Day or the Encounter of the Moat. This took place in the month of Shawwāl in the fourth year of the Prophet's migration to Madinah, but it is also said that it took place in the fifth year.

When he was at the bottom of the valley, he jogged, and when he started to climb, he walked until he reached al-Marwah. He did on al-Marwah the same as he did on al-Ṣafa'. This is how the first sentence occurs in some manuscripts of Muslim's *Ṣaḥīḥ*, and it is so in Mālik's *al-Muwaṭṭa'* and other works. However, in most copies of the original *Ṣaḥīḥ*, one word is dropped, which means 'he jogged'. *Qadi ʿ*Iyāḍ said: 'This word must be added, as it is confirmed in other anthologies and mentioned by al-Ḥumaydī in his work *al-Jamʿ Bayn al-Ṣaḥīḥayn*', but God knows best.

It is shown in this hadith that when reaching the bottom of the valley between al-Ṣafa and al-Marwah, one should jog until one reaches the point where one starts to climb. Then one walks normally for the rest of the distance till one reaches al-Marwah. This jogging is desirable in all seven rounds at this particular place, while walking is desirable for the rest of the distance, before and after it. If a pilgrim walks or jogs the entire distance, the *saʿī* is valid, but one misses on what is more preferable. This is al-Shāfiʿī's view and scholars who agree with him. Two opinions are reported to be stated by Mālik concerning the one who does not do the jogging at its place. The first is the same as we mentioned, and the other is that one must repeat the entire duty.

The hadith mentions that the Prophet 'did on al-Marwah the same as he did on al-Ṣafa'. This means that it is also a sunnah to go some way up al-Marwah and to say similar glorifications and supplications as one does at al-Ṣafa. This is agreed upon.

When he finished his *saʿī* on al-Marwah'. This confirms the view of the Shāfiʿī School and the majority of scholars that to go from al-Ṣafa to al-Marwah counts as one round, and the return to al-Ṣafa counts as a second round. Thus, the seven rounds start at al-Ṣafa and finish at al-Marwah. Imam Ahmad ibn Muhammad, who is better known as al-Shāfiʿī's daughter's son, and Abu Bakr al-Ṣayrafī, both Shāfiʿī scholars, said that to go to al-Marwah and return to al-Ṣafa count as one round, and therefore, the *saʿī* ends as it starts, at al-Ṣafa. This hadith and the practice of the Muslim

community over many generations refute their argument, but God knows best.

Surāqah ibn Mālik ibn Juʿshum stood up and said: "Messenger of God, is this for this year of ours or forever?" The Prophet crossed his fingers, putting one next to the other, and said: "The ʿumrah is incorporated with the hajj (twice). No, it is forever and ever".' This part has been fully explained in the previous chapter.

ʿAlī came from Yemen with the Prophet's camels, and he found that Fāṭimah had released herself from consecration. She wore a coloured dress and applied kohl. He censured her for that'. This confirms that a man may censure his wife if he sees that she is not properly attending to what is required of her by her faith. ʿAlī must have thought that it was wrong of Fāṭimah to release herself from consecration and to abandon all the restrictions that apply during such consecration.[i] ʿAlī said: **'I went to God's Messenger (peace be upon him) complaining about Fāṭimah'.** What he meant was that he wanted to tell the Prophet of her censurable action.

In reply to the Prophet's question about how he started consecration, ʿAlī mentioned that he said: **'My Lord, I declare the same as Your Messenger has declared'.** This was also explained in the previous chapter where we mentioned that it is acceptable to say: 'I declare my consecration as so-and-so had declared'.

All people cut their hair and released themselves from consecration, except the Prophet and the ones who brought their sacrifice with them'. Again, this was fully explained in the previous chapter. We may add that this is a case where a general statement is made, but it applies to a specific group. ʿĀ'ishah did not release herself from *iḥrām* although she had not brought her sacrifice with her. Hence, the statement, 'all people released themselves from consecration', means 'most people'. The people 'cut their hair', which means they did not shave their heads although shaving is preferable. They wanted that some of their hair remained so that they could shave their heads during the hajj. Were they to shave at the end of the ʿumrah, they would have nothing on their heads to shave. Therefore, cutting their hair after the ʿumrah is better, so that they would have hair to remove in each of the two duties, but God knows best.

On the Day of al-Tarwiyah they took the way to Mina, declaring for the hajj'. Al-Tarwiyah is the eighth of Dhul-Ḥijjah. As mentioned earlier, this is the time to start consecration for the hajj. We discussed all this in detail. Moreover, it is clear that the sunnah is not to proceed to Mina before the Day of al-Tarwiyah. Mālik expressed that this is discouraged, while some early scholars said that it is permissible. The view of our school is that it is contrary to the sunnah.

God's Messenger rode [to Mina] praying ẓuhr, ʿAṣr, Maghrib, ʿIshā and Fajr there'. This gives us more than one sunnah. The first is that to ride to these places is more preferable than walking, as it is for the rest of one's route to Makkah. This is the correct view in both situations. A different view, which is weak, is attributed to al-Shāfiʿī, suggesting that walking is preferable. Some of our Shāfiʿī scholars say that using a means of transport on the road to the hajj and its areas is preferable, except within the area where the hajj rites are performed, which includes Makkah, Mina, Muzdalifah and Arafat, as well as moving between these places. The second sunnah we learn from the above sentence is to offer these five prayers in Mina. The third is to stay that night which precedes 9 Dhul-Ḥijjah in Mina. To stay that night in Mina is a sunnah, which means that it is neither a duty nor a condition. This means that if omitted, no compensation is due. This is unanimously agreed upon.

He stayed on for a while until the sun had risen. He gave instructions that a small tent made of hair should be set up for him at Namirah'. This makes it clear that the sunnah is not to leave Mina until the sun has risen. This is also agreed upon. It is also desirable to stop at Namirah, which is close to Arafat but not part of it, because the sunnah is to enter Arafat after midday, when the sun starts on its decline. Anyone who has a small tent may put it up there and wash himself before midday, in readiness for attendance at Arafat.[i] After midday, the imam leads them to the Ibrāhīm Mosque where he gives a short *khuṭbah* in two parts, making the second very short. When he finishes, he leads the pilgrims in prayer, offering Ẓuhr and ʿAṣr prayers together. When the prayer is finished, he proceeds to Arafat where all pilgrims must attend.

God's Messenger moved on. The people of Quraysh were certain that he would stop at al-Mashʿar al-Ḥarām [i.e., at Muzdalifah], as they

used to do in pre-Islamic days'. This means that before Islam, the people of the Quraysh used to stop at al-Mashʿar al-Ḥarām when they performed the hajj, without proceeding to Arafat. Al-Mashʿar al- Ḥarām is a mount at Muzdalifah called Quzaḥ, but it is also said that al-Mashʿar al-Ḥarām refers to all of Muzdalifah. The rest of the Arabs moved through Muzdalifah and went right up to Arafat. Therefore, the people of the Quraysh thought the Prophet would maintain their own practice and stop at al-Mashʿar al-Ḥarām, but he crossed it all and proceeded to Arafat because God commanded him to do so, as He said: 'Surge onward from the place where all other pilgrims surge', (2: 199) meaning all Arabs other than the Quraysh because the Quraysh stopped at al-Muzdalifah, which is within the Ḥaram area. They said: 'We are the people of al-Ḥaram, the area God has sanctified, and we shall not leave it to go elsewhere'.

However, the Prophet moved on until he reached Arafat. He found that a small tent had been set for him at Namirah, and he stopped there. When the sun began to decline, he gave instructions and al-Qaṣwā' [his she-camel] was saddled for him. He moved to the centre of the valley and addressed the people there. 'The Prophet moved on' means that he did not stop at Muzdalifah but passed through it aiming towards Arafat. 'Until he reached Arafat' means that he was close to Arafat. This is explained by what comes next, 'he found that a small tent had been set for him at Namirah', because Namirah is before Arafat. As stated earlier, to enter Arafat before offering the Ẓuhr and ʿAṣr Prayers is contrary to the sunnah. The Prophet then 'moved to the centre of the valley'. This is the ʿUranah Valley, which is outside Arafat, according to al-Shāfiʿī and all scholars except Mālik who says it is part of Arafat. There, the Prophet 'addressed the people'. It is desirable that the ruler, or the hajj leader, should address the pilgrims at this place on the Day of Arafat. This is a sunnah, according to the great majority of scholars, but the Mālikī School takes a different view. According to the Shāfiʿī School, there are four *khuṭbahs* during the hajj, and all of them are sunnah. The first is on the seventh day of Dhul-Ḥijjah, when the imam should give a speech after the Ẓuhr Prayer, near the Kaʿbah. The second is this one at the ʿUranah Valley on the Day of Arafat. The third is on the following day, which is the Day of Sacrifice, and the fourth is on the second of the three *Tashrīq* days when

many people leave Mina. Our scholars have said that all these speeches are single speeches made after the Ẓuhr Prayer, except the one on the Day of Arafat, which consists of two parts and is delivered before Ẓuhr. In each of these speeches, the imam teaches the pilgrims what they need to know until the time of the next speech, but God knows best.

Your blood and your property are forbidden to you to violate in the same way as the sanctity of this day of yours, in this month of yours, in this city of yours'. This is a very emphatic way of prohibition. The Prophet's style shows that it is very useful to set examples and draw a point of comparison.

All claims pertaining to the Days of Ignorance [i.e., pre-Islamic] are under my two feet and invalid. Vengeance killings of pre-Islamic days are written off. The first killing I write off is that of Ibn Rabīʿah ibn al-Ḥārith: he was being nursed in the clan of Banī Saʿd, but the Hudhayl tribe killed him. The usury of pre-Islamic days is hereby written off, and the first usury I thus write off is the one belonging to us [i.e., his clan], the usury of ʿAbbās ibn ʿAbd al-Muṭṭalib. It is all written off'. The Prophet's words invalidate all actions that were done under the pre-Islamic system of ignorance, including sales that had not been concluded by exchange of goods and price. The killings that took place during those days would not be subject to the retaliatory punishment. The Prophet further shows that the ruler and whoever enjoins right and forbids wrong should start with himself and his own family and relatives. This makes his words easier to accept and act upon, particularly by those who are new converts to Islam.

The Prophet said that all such claims 'are under my two feet', which means that they were no longer valid. He added: 'The first killing I write off is that of Ibn Rabīʿah ibn al-Ḥārith'. Scrupulous scholars and the majority of scholars said that his name was Iyās ibn Rabīʿah ibn al-Ḥārith ibn ʿAbd al-Muṭṭalib. Other suggestions as to his name are Ḥārithah, Adam or Tammām, but al-Dāraquṭnī said that this is mistaken. Al-Zubayr ibn Bakkār was one of the scholars saying his name was Adam. *Qadi* ʿIyāḍ said that some narrators from Muslim mentioned that the Prophet wrote off the killing of Rabīʿah ibn al-Ḥārith. And this is how Abu Dāwūd mentions him. It is said, however, that this is a mistake and that the one who was killed

was Rabīʿah's son because Rabīʿah lived until ʿUmar's reign. Abu ʿUbayd said that as Rabīʿah was the deceased's next of kin, the blood of the victim was attributed to him. The victim was a very young child, crawling between homes when he was hit by a stone during a battle between the clans of Saʿd and Layth ibn Bakr. This is stated by al-Zubyr ibn Bakkār.

On usury, the Prophet said that it is all written off. This means that whatever is in excess of the principal amount is invalid and written off. What I am saying is merely an extra explanation because the very words mean it. The Arabic word for usury is *ribā*, and it means 'excess'. To say that usury is written off means everything in excess of the principal is invalid and unacceptable.

Continuing his speech, the Prophet said: **'Fear God in your treatment of women. You take them in trust granted by God'.** He thus urges Muslims to observe women's rights and to be kind to them and to treat them with fairness and kindness. There are numerous authentic hadiths that urge kind treatment of women, explain their rights and warn against failing to do what is due to them. I have included these, or most of them, in my book of Hadith, *Riyāḍ al-Ṣāliḥīn*.

And they become lawful to you by God's word'. Some scholars said that 'God's word' means what God says [in the Qur'an]: 'Retain them in fairness or release them with kindness'. (2: 229) It is also said that 'God's word' here means the declaration of God's oneness: 'There is no deity other than God, and Muhammad is God's Messenger'. The fact is that Muslim women are unlawful to any non-Muslim. A third view says that it means God's permission, as He says: 'You may marry of other women as may be agreeable to you'. (4: 3) This last view is the correct one. The first view is agreed by al-Khaṭṭābī, al-Harawī and other scholars. A different view suggests that 'God's word' in this instance means the words of 'commitment and acceptance' stated at the time when the marriage contract is solemnised. Thus, the phrase means 'by the word God has ordered', but God knows best.

They have a duty towards you that they do not admit into your homes anyone you dislike. If they do this, you may discipline them without severity'. Imam al-Māzarī said: 'What is meant here is that a woman may not admit a man into her home and be alone with him. It does

not mean committing adultery. Adultery incurs the punishment of flogging, and it is forbidden whether it is with a man her husband likes or dislikes'. *Qadi* ʿIyāḍ said: 'It was customary for the Arabs that men and women would talk together, and they felt nothing wrong with this, and it gave them no suspicion. When the Qur'anic verse requiring women to observe the Islamic dress code was revealed, they were ordered not to admit men into their homes'. However, what this means is that a woman may not admit into her husband's home anyone whom he dislikes being admitted, whether such a person is a non-relative man, a woman or someone she cannot marry. The prohibition applies to all. This is the ruling scholars are agreed upon. A woman may not admit into her husband's home anyone unless she knows or feels that her husband does not object. The principle that applies here is that a person may not enter someone else's home without permission of the owner or someone else who is authorised to give such permission, or the permission is known as a matter of observed tradition. When there is doubt about such permission and no direction appears clearly, then no admittance may be authorised, but God knows best. The Prophet said: 'If they do that, you may discipline them without severity'. If this involves physical punishment, it must not be severe. This means that a man may discipline his wife, within certain limits. If such punishment results in her death, he must pay an atonement and his close relatives are required to pay her blood money.

Your duty towards them is to feed and clothe them according to what is reasonable'. This makes clear that a man must support his wife, providing her with what she needs of food and clothing according to his means. This is confirmed by all scholars.

He pointed with his forefinger to the sky and to the people, and said: "My Lord, bear witness. My Lord, bear witness" three times'. This means that he moved his forefinger, pointing first to the sky then to his audience, repeating his word three times, seeking that God be his witness.

The *adhān* was then called. The *iqāmah* was announced and the Prophet prayed ẓuhr, then another *iqāmah* was announced and he prayed ʿAṣr. He did not offer any voluntary prayer between them'. This shows that it is right to pray the Ẓuhr and ʿAṣr prayers together on that day. This is agreed upon by all the Muslim community, but scholars differ as to

the reason behind it. The Ḥanafī School and some Shāfiʿī scholars say that it is due to the hajj worship. The majority of Shāfiʿī scholars say that the reason is travel. Therefore, local people and those whose travel is less than two stages, such as the people of Makkah, may not combine or shorten these prayers. The hadith shows that when these two prayers are combined, the *adhān* is called before the first prayer is offered, and that the Ẓuhr Prayer is offered first, and an *iqāmah* is announced for each of the two prayers, and that they are prayed together, not apart. All this is agreed upon in our Shāfiʿī School.

God's Messenger then mounted and went on until he reached the place. He sat his she-camel, al-Qaṣwā', with her belly towards the rocks, and the place where people gathered in front of him, and he faced the *qiblah*. He remained there until sunset, when the yellowness of the sun faded and the sun had completely disap- peared'. This paragraph includes some interesting points regarding the manners that should be observed when attending Arafat. Firstly, when the two prayers have been offered, pilgrims should proceed immediately to the place of attendance. Secondly, to remain mounted when attending Arafat is preferable. Scholars hold different views on this point. In our Shāfiʿī School, there are three views, the most correct of which is that remaining mounted is preferable. The second is the opposite and the third makes both conditions equal. Thirdly, to attend at the mentioned rocks, which are flat at the bottom of Mount al-Raḥmah in the middle of the Arafat plain, is desirable. This is indeed the place that is preferable on the Day of Arafat. The commonly held idea that requires going up this mountain and that it is the only place to be at on that day is grossly mistaken. It is, indeed, valid to attend at any point within the limits of Arafat. What is preferable is to stop where the Prophet stopped. If it is too crowded, then one draws as near to it as possible. We will presently explain the boundaries of Arafat, God willing, when we will comment on the hadith that mentions that all Arafat is equally good to attend. Fourthly, it is desirable to face the *qiblah* when one is attending Arafat. Fifthly, one should stay at Arafat until the sun has set and one ascertains that it has completely disappeared.

After that, pilgrims proceed on the way back to Muzdalifah. If a pilgrim leaves Arafat before sunset, his attendance at Arafat is correct and his hajj is

valid, but the fault should be compensated for with a sacrifice of one sheep. Is this sacrifice a duty or only desirable? Al-Shāfiʿī gives two views, and the more correct of the two is that it is a sunnah. The other view makes the sacrifice a duty. These two views are based on the answer to the question: is attending Arafat at both day and night a duty or a sunnah? Two answers are given to this question, and the more correct of these is that it is a sunnah. The other view makes it a duty.

Attendance at Arafat extends from midday on the Day of Arafat to the break of dawn on the next day, which is the Day of Sacrifice. Whoever is present at Arafat for some time during this period is deemed to have been in attendance. Whoever misses the entire period misses the hajj altogether. This is the view of al-Shāfiʿī and the great majority of scholars. Mālik said that attendance during the day only, does not meet the requirement. To be present during the night is necessary. This means that if one attends only during the night, one's attendance is valid, but if one attends only during the day, it is invalid. Ahmad ibn Ḥanbal says that the time of attendance at Arafat begins at dawn on the Day of Arafat. Scholars are unanimous that attendance at Arafat is a condition for the validity of the hajj, but God knows best.

He took Usāmah ibn Zayd behind him [on his camel] and moved on, pulling back al-Qaṣwā"s rein, so that her head almost hit its saddle. He pointed with his right hand and said: "People, be calm! Be calm!" Whenever he reached a hump, he would let off the rein a little so that she could go up'. The description of how the Prophet proceeded on his she-camel when he left Arafat shows that he moved slowly, caring for those who were walking and the ones who used weaker mounts. He urged people to remain calm as they moved on from Arafat. This is clearly a sunnah. Whenever the Prophet found some space, he would move a little faster, as mentioned in a different hadith.

He continued until he reached Muzdalifah where he prayed Maghrib and ʿIsha, calling one *adhān* and two *iqāmahs*. He did not pray any sunnah in between these two obligatory prayers'. Muzdalifah is called by this name because when the pilgrims leave Arafat, they *izdalafū*, i.e., drew near to it. It is also said that it is because people arrive there at some *zulaf*, i.e., hours of the night. It is also called *Jamʿ*, which

means ‘gathering’ because people gather there. All of Muzdalifah is within the Ḥaram area. In his book *Tārīkh Makkah*, al-Azraqī agrees with our Shāfiʿī and other scholars who say, in their books, that the limits of Muzdalifah are between the two narrow points of Arafat and the Muḥassir Valley, but these two limits are not included in it. All the passages and places within these two limits are aspects of it.

At Muzdalifah, the Prophet prayed Maghrib and ʿIshā with one *adhān* and two *iqāmahs*, and with no sunnah prayer in between. There are several interesting points here. The first is that the sunnah for whoever is proceeding from Arafat to Muzdalifah is to delay offering Maghrib until ʿIshā time, with the intention of combining the two prayers at Muzdalifah during the ʿIshā time. This is agreed upon by all scholars. However, according to the Ḥanafī School and other scholars, the combination is due to the hajj worship, and that it is permissible for whoever is performing the hajj, including the people of Makkah, Muzdalifah, Mina and others. According to our Shāfiʿī scholars, the correct view is that combining these prayers is because of the travel involved. As such, it is only permissible for those who travel the distance that allows shortening prayers, which is equal to two complete stages, or 85 kilometres. Al-Shāfiʿī expresses a different view, which is of weak support, that it is permissible to combine prayers in every travel, even if it is short. Some of our scholars agree with Abu Ḥanīfah that the combination of prayers at Arafat and Muzdalifah is because of the hajj worship, but God knows best.

Our Shāfiʿī scholars said that if one offers these two prayers together during Maghrib time at Arafat, or on the way to Muzdalifah, or at any other place, or offers them separately during their respective times, they are valid, but contrary to the better option. This is the view of our Shāfiʿī School, and it is expressed by many of the Prophet’s Companions, the *tābiʿīn*, as well as al-Awzāʿī, Abu Yūsuf, Ashhab and Hadith scholars that are also conversant in Fiqh. Abu Ḥanīfah and other Kūfī scholars say that it is a condition that these two prayers, Maghrib and ʿIshā, must be offered at Muzdalifah. They are invalid before it. Mālik said that it is not permissible to offer these before Muzdalifah, except for a person who has a valid reason affecting him or his mount. In this case, it is permissible for such a person to offer the two

prayers before Muzdalifah, provided that they are offered after the twilight has set, i.e., during ʿIshā time.

Another point is that these two prayers should be offered during the time of the second prayer, with one *adhān* for the two before the first, and one *iqāmah* for each one. This is the correct order according to our scholars. It is also the view of Ahmad ibn Ḥanbal, Abu Thawr, ʿAbd al-Malik al-Mājishūn of the Mālikī School and al-Ṭaḥāwī, who is a Ḥanafī scholar. Mālik said that they are offered with an *adhān* and an *iqāmah* before each one. This is reported from ʿUmar and Ibn Masʿūd. Abu Ḥanīfah and Abu Yūsuf say that one *adhān* and one *iqāmah* are needed for both prayers. Another view attributed to al-Shāfiʿī and Ahmad is that no *adhān* is needed, but one *iqāmah* for each prayer is announced. This view is also reported from al-Qāsim ibn Muhammad and Sālim ibn ʿAbdullāh ibn ʿUmar. Al-Thawrī said: 'Both prayers are offered with just one *iqāmah*'. This last view is also mentioned to have been expressed by Ibn ʿUmar, but God knows best.

The fact that the Prophet did not offer any sunnah prayer between the two obligatory ones makes it clear that they should be offered one after the other. There is no difference of views on this point, but scholars differ as to whether offering the two obligatory prayers consecutively is a condition or not. The correct view of our Shāfiʿī School is that it is a desirable sunnah, not a condition, but some of our scholars say that it is a condition. However, if they are offered during the time range of the first prayer, offering them consecutively becomes a condition according to all scholars.

God's Messenger then slept until the break of dawn. He prayed Fajr when he ascertained it was time for the prayer, calling the *adhān* and the *iqāmah*'. This includes several points. One of these is that spending the night at Muzdalifah on the night preceding the Day of Sacrifice, after leaving Arafat, is an act of worship. This is unanimously agreed upon, but scholars differ as to whether it is a duty, an essential obligation or a sunnah. The correct view mentioned by al-Shāfiʿī is that it is a duty. If omitted, the hajj is valid, but an error has been committed which must be compensated for by a sacrifice of one sheep. His other view is that staying the night at Muzdalifah is a sunnah, if omitted, no compensation is due but it is desirable. A number of our Shāfiʿī scholars, including al-

Shāfiʿī's daughter's son and Muhammad ibn Isḥāq ibn Khuzaymah, said that it is an essential obligation like attendance at Arafat, which means that the hajj is invalid without it. Five of the leading *tābiʿīn* scholars share this view. These are ʿAlqamah, al-Aswad, al-Shaʿbī, al-Nakhaʿī and al-Ḥasan al-Baṣrī, but God knows best.

It is a sunnah to stay at Muzdalifah until one prays Fajr there. This applies to all except for those who are weak. For these, the sunnah is to move on before Fajr, as we shall presently explain. The minimum amount of stay at Muzdalifah is stated by our scholars in three ways. The correct one is a short period during the second half of the night. The second view is a short period in the second half or after Fajr, but before sunrise. The third is to stay most of the night, but God knows best.

The second point is that it is a sunnah, i.e., strongly recommended, to offer the Fajr Prayer very early at this place. This early start is especially emphasised on this day, more than the rest of the year, to emulate the Prophet's practice and because there are plenty of other tasks to perform on this day. Hence, an early start helps attend to these tasks. A third sunnah is to call the *adhān* and the *iqāmah* for this prayer, as well as other prayers a traveller offers, as authentic hadiths confirm, but God knows best.

He then mounted al-Qaṣwā', up to al-Mashʿar al-Ḥarām. He faced the *qiblah*, supplicated, glorified God and declared His oneness. He remained there until it was very clear light but moved on before sunrise'. This confirms once more that using a means of transport in these areas is preferable to walking. In this instance, al-Mashʿar al-Ḥarām refers to Quzaḥ, a well-known mountain at Muzdalifah. This hadith is the basis of the arguments of Fiqh scholars who say that al-Mashʿar al-Ḥarām is Quzaḥ. However, the great majority of commentators, historians and Hadith scholars say that it is all of Muzdalifah. This statement makes clear that stopping at Quzaḥ is one of the hajj rituals. There is no difference among scholars on this point, but they differ concerning the time of departure. Ibn Masʿūd, Ibn ʿUmar, Abu Ḥanīfah, al-Shāfiʿī and the great majority of scholars say that pilgrims need to stay, supplicating and glorifying God until there is very clear light, as mentioned in this hadith. Mālik said that one should move before it becomes very bright, but God knows best.

He took behind him al-Faḍl ibn ʿAbbās who was a white, smart young man with fine hair. When God's Messenger moved on, some women passed by him, moving fast. Al-Faḍl looked at them, and God's Messenger put his hand on al-Faḍl's face'. The description of al-Faḍl as a 'white, smart young man' means that he was one who would look attractive to women. That the Prophet put his hand on al-Faḍl's face urges Muslims to lower their gaze and not to stare hard at women, and to shield women from men. In al-Tirmidhī's version of this hadith, the Prophet is said to have twisted al-Faḍl's neck, so al-ʿAbbās, his father, said to the Prophet: 'You have twisted your cousin's neck'. The Prophet said: 'I saw a young man and a young woman, and I feared Satan for them'. This shows that the Prophet's action was to reduce their mutual attraction. This part of the hadith also makes clear that anyone who sees something forbidden and can remove it by hand should do so. If he only speaks about it, urging its stopping, but the addressee continues to do it and the one who is telling him off can ensure its stopping if he uses his hand, then this is what he must do. If he refrains from doing so and limits himself to verbal advice, he is at fault, but God knows best.

When the Prophet reached the middle of Muḥassir, he sped a little, then he took the middle road which leads directly to the Grand Jamrah. When he reached the Jamrah near the tree, he threw at it seven small pebbles from the middle of the valley, glorifying God with each pebble'. Muḥassir is the name of a small valley, which is called by this name because the elephant Abrahah placed at the head of his army when he came from Yemen to destroy the Kaʿbah stopped there and would not go a step further. The Prophet sped a little at this place. This is one of the recommended practices of how to proceed in this area. Our scholars said that the one who is walking should move a little faster, and those using transport should move faster if they can. This faster movement is only for a very short distance, but God knows best. The Prophet then took the middle road, which means that taking this road on the way back from Arafat is a sunnah. It is different from the route the Prophet took on his way to Arafat.[i] On various occasions, the Prophet preferred to take a different route on the return journey to the one he used first. The Grand Jamrah is the one at al-ʿAqabah, which used to be marked by being near the tree. This part of the

hadith shows that when pilgrims proceed from Muzdalifah and arrive at Mina, the sunnah is to go straight to the Jamrah at al-ʿAqabah and not to do anything before the duty of stoning there. For the stoning on this day, a pilgrim uses seven pebbles, which should be the size of peas. If they are larger or smaller, they are acceptable, provided they are of stone. According to al-Shāfiʿī and the majority of scholars, it is not permissible to do the stoning using kohl, arsenic, gold, silver or other materials that are not called 'stone'. Abu Ḥanīfah says it is permissible to use anything that is part of the earth.

It is also recommended to glorify God when throwing every pebble. The pebbles must be thrown separately, one by one. To throw all seven together counts as only one pebble according to our school and the majority of scholars. The point of evidence in this case is that the Prophet 'glorified God with each pebble'. It is clear, therefore, that he threw each pebble separately. Moreover, in hadith No. 2751 which speaks about stoning at the Jamrahs, the Prophet says: 'Learn your rituals from me'. This paragraph shows that it is recommended, i.e., sunnah, to stand when stoning with Mina, Arafat and Muzdalifah to one's right and Makkah to one's left. This is the right way mentioned in authentic hadiths. Some scholars said that one should stand facing the *qiblah*. However one throws one's pebbles is acceptable, provided that one is throwing what is called stone, but God knows best.

The stoning is a duty, and what is required on the Day of Sacrifice, i.e., 10 Dhul-Ḥijjah, is to stone at the ʿAqabah Grand Jamrah only. This is an act of worship and a duty, according to the unanimous view of all Muslims. According to our school, it is a duty, not an essential obligation. If it is omitted and all the stoning days elapse, one is considered to have disobeyed and must compensate by sacrificing a sheep, but one's hajj remains valid and acceptable. However, Mālik says that omitting it totally in this way invalidates one's hajj. He adds that it must be stoned by seven pebbles. To do so with six is insufficient.

He then left, heading to the slaughter place. The Prophet sacrificed sixty-three [animals] with his own hand and gave the rest to ʿAlī who slaughtered them'. This is how it occurs in all manuscripts, and how *Qadi* ʿIyāḍ quotes it from all narrators except Ibn Māhān who says 'sixty-three

camels’. *Qadi* ʿIyāḍ adds: ‘What he says is correct, but the first version is more correct’. My own view is that both are equally correct: the Prophet sacrificed sixty-three camels with his own hand. *Qadi* ʿIyāḍ further adds that this part indicates that there was a specific place for slaughtering the sacrifice in Mina. However, it is perfectly appropriate to make the sacrifice at any place in Mina or the Ḥaram area. It also shows that offering more sacrifice is desirable. The Prophet’s sacrifice on this occasion consisted of one hundred camels. The hadith shows that it is also desirable for the pilgrim to slaughter his sacrifice with his own hand, but it also shows that it is permissible to ask someone else to do it on his behalf. This is unanimously agreed to be permissible if the deputy is a Muslim. According to our school, it is also permissible to assign a non-Muslim to do it provided that person is a follower of an earlier Divine religion and the owner of the sacrifice formulates the intention of sacrifice at the time when he gives it to his deputy to slaughter. The hadith further shows that it is preferable to slaughter the sacrifice early, on the Day of Sacrifice, even if they are large in number, without delaying it until the next couple of days, i.e., the *Tashrīq* days.

The Prophet included ʿAlī in what he had sacrificed’. This appears to mean that he included ʿAlī in the same sacrifice. *Qadi* ʿIyāḍ said: ‘I think that this was not a real partnership, but he merely gave him some to slaughter them’. It appears that the Prophet slaughtered the camels he brought from Madinah, sixty-three in total, as mentioned by al-Tirmidhī, and he gave ʿAlī the camels he brought from Yemen, which completed one hundred, but God knows best.

He then ordered that a piece of meat from every slaughtered animal be put in a saucepan and cooked. Both of them ate of the meat and drank of the sauce’. This confirms the desirability of eating from the sacrifice, expressing gratitude to God. Scholars said that since it is a recommended sunnah to eat of every sacrificed animal and to eat of each one of the one hundred camels was very difficult, a piece of each was put in a large saucepan. Thus, the Prophet would eat, as convenient, of the meat put together in the saucepan and taste the sauce of the entire sacrifice. Scholars are unanimous that eating of the sacrifice made for the *tamattuʿ* and *qirān* hajj, as well as voluntary sacrifice, is a sunnah, not a duty.

The Prophet then rode on and went to the Kaʿbah [where he performed the *ṭawāf al-ifāḍah*] and prayed ẓuhr in Makkah'. This *ṭawāf* is the *ifāḍah ṭawāf,* which is an obligatory condition of the hajj. This is agreed upon by all Muslims. Its time range starts after midnight on the night preceding the Day of Sacrifice. Its best time is after one has completed the stoning at the al-ʿAqabah Jamrah, slaughtered one's sacrifice and shaved one's head. Thus, the best time is around mid-morning on the Day of Sacrifice. It is not discouraged to do it at any time on the Day of Sacrifice, but delaying it beyond that day, with no reason, is discouraged, while delaying it till after the *Tashrīq* days is even more discouraged. However, it is not forbidden to delay it even for years, as there is no set time limit, but rather it remains valid during one's lifetime.[i] The condition for its validity is that it must be done after attendance at Arafat. If we take the scenario of a person who arrives in Makkah at midnight on the night preceding the Day of Sacrifice and performs this *ṭawāf,* then proceeds at speed to Arafat, arriving there before dawn, his *ṭawāf* does not count as the *ṭawāf al-ifāḍah* because it occurred before attending Arafat.

Scholars agree that neither jogging nor *iḍṭibāʿ* are recommended in the *ṭawāf al-ifāḍah* if the pilgrim has done so in the *ṭawāf* of arrival. Should a pilgrim perform the *ṭawāf,* intending it as the *ṭawāf* of arrival or farewell or a voluntary *ṭawāf* when that pilgrim is still due to perform the *ṭawāf al-ifāḍah*, his *ṭawāf* is counted for *ifāḍah*, regardless of how he intended it. There is no disagreement on this point in our school. This ruling is stated by al-Shāfiʿī and all Shāfiʿī scholars agree on it. This is similar to the case of a person who has not yet done his obligatory hajj and travels to perform the hajj intending it as voluntary, or compensatory, or in fulfilment of a pledge. His hajj will not count according to his intention but as fulfilment of his obligatory hajj, which is normally referred to as 'Islam's hajj'. However, Abu Ḥanīfah and the majority of scholars say that the *ṭawāf al-ifāḍah* is not fulfilled if the *ṭawāf* is done with some other intention.

The *ṭawāf al-ifāḍah* has several names, such as *ziyārah* (the visit), *al-farḍ* (the duty) and *al-rukn* (the essential obligation). Some of our scholars also call it *al-ṣadr* (the return). The majority of scholars disapprove of this last name, saying that it applies to the *ṭawāf* of farewell, but God knows best.

Jābir, the narrator, mentions that the Prophet then ‘rode to Makkah and went to the Kaʿbah and prayed Ẓuhr’. There is an omission here, which is added in between brackets, and it is only omitted because it is perfectly understood. This means that the Prophet rode to Makkah, went to the Kaʿbah and performed the *ṭawāf al-ifāḍah*, then prayed Ẓuhr. Yet in hadith No. 2776 Ibn ʿUmar mentions that ‘the Prophet performed the *ṭawāf al-ifāḍah* on the Day of Sacrifice and prayed Ẓuhr at Mina’. These two hadiths are reconciled in the following way: the Prophet performed the *ṭawāf al-ifāḍah* before midday, then prayed Ẓuhr in Makkah as it fell due, then he returned to Mina where he prayed Ẓuhr again, leading the prayer with his Companions as they requested him to do. This means that his second prayer was a sunnah, or voluntary, for him. This is the same as mentioned in the two *Ṣaḥīḥ* anthologies about him leading a group of his Companions in the prayer known as ‘prayer in a state of fear’, and he completed the prayer to its end. He then led the other group that stood guard first, offering the same prayer. Thus, he did the prayer twice, while his Companions did it once. The hadith narrated by ʿĀ’ishah and others that the Prophet delayed the visit to Makkah on the Day of Sacrifice until night-time is understood to mean that he returned to Makkah at night for a visit with his wives, not to perform the *ṭawāf al-ifāḍah*. This understanding is necessary so that we can reconcile the hadiths. I explained this fully in *Sharḥ al-Muhadhdhab*, but God knows best.

He then stopped by Zamzam where men from the ʿAbd al-Muṭṭalib clan were giving people water to drink. He said to them: “Draw up the water, Banī ʿAbd al-Muṭṭalib. Were it not for fear that other people would compete with and overwhelm you for your water, I would come to help you draw the water”. They handed him a bucket and he drank of it’.

The Prophet stopped by Zamzam after he finished the *ṭawāf al-ifāḍah*. ‘The men of the ʿAbd al-Muṭṭalib clan [to which the Prophet belonged] were giving people water to drink’. This means that they drew the water from the well of Zamzam, pouring the water from the pails into basins and utensils so that people could use it. The Prophet wished to join them, but he feared that people might think that drawing water from Zamzam was a part of the hajj practices. They may then overwhelm the people of his clan and

take away this service from them. He said this to emphasise the great merit of the action done by the ʿAbd al-Muṭṭalib clan. The Prophet's words also make it clear that working to give water to people earns a reward and that drinking from Zamzam is desirable.

Zamzam is a well-known well, inside the Grand Mosque, at a distance of 38 arm lengths from the Kaʿbah. It was first opened by Gabriel when Abraham left his wife Hagar and his son Ishmael at that place where the Kaʿbah would be built, as commanded by God.

In the second hadith, No. 2572 **'the Arabs used to be driven on by Abu Sayyārah'.** This used to be the case in pre-Islamic days.

When God's Messenger (peace be upon him) passed by al-Mashʿar al-Ḥarām, the Quraysh had no doubt that he would stop there and make it his place of attendance. But he moved on and did not wait there and proceeded until he reached Arafat and stopped there. We mentioned the different views of the place referred to as al-Mashʿar al-Ḥarām, pointing out that some say that it is Mount Quzaḥ in the middle of Muzdalifah, while others say that it is all Muzdalifah. However, the hadith clearly indicates that it is not the whole area of Muzdalifah.

As mentioned earlier, prior to Islam the Quraysh used to stop at Muzdalifah when they performed the hajj. The rest of the Arabs went on to Arafat. The Quraysh justified its action on the grounds that since Arafat is outside the Ḥaram area, they should not go there because, as the people of the Ḥaram, they should not go to a lesser area for worship. They stopped at Muzdalifah, which is within the Ḥaram area. Hence, they thought the Prophet would do the same as he belonged to the Quraysh. However, he went on to Arafat in fulfilment of God's order so that all people would perform the hajj in the same way.

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i. Related by Abu Dāwūd, 1905, 1909; Ibn Mājah, 3074.

ii. Muhammad ibn ʿAlī ibn Ḥusayn was the great-great-grandson of the Prophet. Hence, Jābir, blind and in old age gave this gesture as one of endearment, fondly remembering his own days as a companion of the Prophet.

iii. The Arabian shirt had only two buttons at the top and did not have a collar like modern shirts.

iv. At the time of the Prophet's hajj, Jābir was in his mid-twenties. He became blind in his old age. His visitor, the narrator, Muhammad ibn ʿAlī, was the great grandson of Fāṭimah, the Prophet's youngest daughter. Hence, Jābir's fond attention to him and his detailed answer.

v. Whatever one pays to perform an act of worship is credited to him as increased reward.

vi. Fāṭimah did this only because her father, the Prophet (peace be upon him), told her and all pilgrims who did not bring their sacrifice with them to do it.

vii. Most of these sunnah practices are not possible these days, particularly setting up small tents and washing one's body, and joining the imam in the mosque because of the great number of people who perform the hajj.

viii. Nowadays, the roads used by vehicles are clearly identified and people need to use the roads closest to them. Those who walk need to take the passages marked for pedestrians.

ix. Nowadays, with millions of people performing the hajj every year and the terrible congestion on the roads between Mina and Makkah throughout the period of the hajj, relaxation of the rules is necessary. Pilgrims may suit themselves as to when to perform the *ṭawāf al-ifāḍah*. There is no harm in delaying it until one completes the stay in Mina and returns to Makkah. It should be borne in mind, however, that the complete release from consecration can only take place after this *ṭawāf*.

CHAPTER 20

ALL OF ARAFAT IS GOOD FOR ATTENDANCE

[2573–149]. (Dar al-Salam 2805) ʿUmar ibn Ḥafṣ ibn Ghiyāth narrated:[i] my father narrated; from Jaʿfar; my father narrated in that hadith of his; that **‘God’s Messenger (peace be upon him) said: “I have slaughtered my sacrifice here, and all Mina is a place of sacrifice. You may slaughter your sacrifice at your places. I stayed here and the whole of Arafat is a place for attendance. I stopped here and the whole of Jamʿ is a place to stop at”.’**

حَدَّثَنَا عُمَرُ بْنُ حَفْصِ بْنِ غِيَاثٍ، حَدَّثَنَا أَبِي، عَنْ جَعْفَرٍ، حَدَّثَنِي أَبِي، عَنْ جَابِرٍ، فِي حَدِيثِهِ ذَلِكَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «نَحَرْتُ هَاهُنَا وَمِنًى كُلُّهَا مَنْحَرٌ، فَانْحَرُوا فِي رِحَالِكُمْ. وَوَقَفْتُ هَاهُنَا وَعَرَفَةُ كُلُّهَا مَوْقِفٌ. وَوَقَفْتُ هَاهُنَا وَجَمْعٌ كُلُّهَا مَوْقِفٌ».

[2574–150]. (Dar al-Salam 2806) Isḥāq ibn Ibrāhīm narrated:[ii] Yaḥyā ibn Adam reported; Sufyān narrated; from Jaʿfar ibn Muhammad; from his father; from Jābir ibn ʿAbdullāh; that **‘When God’s Messenger arrived in Makkah, he came to the Black Stone and touched it, then walked to its right, jogging three rounds and walking four’.**

وَحَدّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، اخْبَرَنَا يَحْيَى بْنُ ادَمَ، حَدّثَنَا سُفْيَانُ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَمَّا قَدِمَ مَكَّةَ أَتَى الْحَجَرَ فَاسْتَلَمَهُ، ثُمَّ مَشَى عَلَى يَمِينِهِ، فَرَمَلَ ثَلاَثًا وَمَشَى أَرْبَعًا.

Text Explanation

The first of these two hadiths shows the Prophet's care and kindness to his community, as well as his keenness to alert them to what is proper in matters of religion and life. He reminds them of what is permissible and what is more perfect. The places where he slaughtered his sacrifice and stayed at Arafat are the preferable and more perfect parts, but it is permissible to attend to these tasks at any part of Mina and Arafat. Muzdalifah is also called Jamʿ, and we mentioned its areas and limits as well as those of Mina. Arafat begins after the ʿUranah Valley and extends to the opposite mountains beyond Ibn ʿĀmir's orchards. This is stated by al-Shāfiʿī and all his disciples. Al-Azraqī quoted Ibn ʿAbbās, stating that the limits of Arafat start from the mountain overlooking the bottom of the ʿUranah Valley and extend to the Arafat mountains to Waṣīq and up to where Waṣīq meets the ʿUranah Valley. Other statements defining its limits have been stated, but they are close to these. I discussed this in detail in *Sharḥ al-Muhadhdhab* and in *Kitāb al-Manāsik*, but God knows best.

Al-Shāfiʿī and our scholars said that it is permissible to slaughter the sacrifice anywhere in the Ḥaram area, but the preferable place for the pilgrim is to make his sacrifice at Mina, and the best place in Mina is where God's Messenger (peace be upon him) slaughtered his sacrifice and the area around it. The best place for a person doing the ʿumrah is to slaughter his sacrifice at al-Marwah because it is the place where he releases himself from consecration, as Mina is the place of release for pilgrims. They add that it is permissible to stay anywhere at Arafat and anywhere within Muzdalifah, as it is clear in this hadith, but God knows best.

In the first hadith, No. 2573 the Prophet says: 'All Mina is a place of sacrifice. You may slaughter your sacrifice at your places'. This means that anywhere in Mina is good enough for slaughtering one's sacrifice. People need not take the trouble to slaughter their sacrifice at the place where the Prophet did. They may do it where they encamp.[iii]

The second hadith, No. 2574 shows that it is recommended for a pilgrim to start with the *ṭawāf* of arrival, doing this before anything else. It is also recommended to touch the Black Stone at the beginning of his *ṭawāf*, jog

during the first three rounds and walk the other four. We will discuss this in further detail at the appropriate place.

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i. Related by Abu Dāwūd, 1907, 1908, 1936; al-Nasā'ī in shorter versions, 3015, 3045.

ii. Related by al-Tirmidhī in a longer version, 856; al-Nasā'ī, 2939.

iii. At the time al-Nawawī wrote his commentary and for many generations before and after him, full use was made of the pilgrims' sacrifice. Nowadays, things are well organised, with abattoirs available or, what is even better, an agency undertaking the slaughter and distribution of the meat to needy areas in the Muslim World.

CHAPTER 21

THE SAME RITUALS FOR ALL PILGRIMS

[2575–151]. (Dar al-Salam 2807) Yaḥyā ibn Yaḥyā narrated:[i] Abu Muʿāwiyah reported; from Hishām ibn ʿUrwah; from his father; from ʿĀ’ishah. She said: **‘The Quraysh and the people who followed its practice used to stop at Muzdalifah. They were called al-Ḥums. The rest of the Arabs used to attend Arafat. With the advent of Islam, God, Mighty and Exalted, commanded the Prophet to go to Arafat and attend there, and then proceed from there. This is the meaning of His words: “Surge onward from the place where all other pilgrims surge”.’ (2: 199)**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: كَانَ قُرَيْشٌ وَمَنْ دَانَ دِينَهَا يَقِفُونَ بِالْـمُزْدَلِفَةِ، وَكَانُوا يُسَمَّوْنَ الْحُمْسَ، وَكَانَ سَائِرُ الْعَرَبِ يَقِفُونَ بِعَرَفَةَ. فَلَمَّا جَاءَ الإِسْلاَمُ أَمَرَ اللهُ عَزَّ وَجَلَّ نَبِيَّهُ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَأْتِيَ عَرَفَاتٍ، فَيَقِفَ بِهَا ثُمَّ يُفِيضَ مِنْهَا. فَذَلِكَ قَوْلُهُ عَزَّ وَجَلَّ: «ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ».

[2576–152]. (Dar al-Salam 2808) Abu Kurayb narrated: Abu Usāmah narrated; Hishām narrated; from his father. He said: **‘The**

Arabs used to perform the *ṭawāf* at the Kaʿbah naked, except al-Ḥums, who were the Quraysh and its descendants. They performed the *ṭawāf* naked unless al-Ḥums people gave them garments. Men used to give men and women gave women. Al-Ḥums did not go beyond Muzdalifah, while all other people went to Arafat'.

Hishām said: my father narrated to me; from ʿĀ'ishah. She said: **'It was about al-Ḥums that God, Mighty and Exalted, revealed His words: "Surge onward from the place where all other pilgrims surge".' (2: 199) She added: 'All people proceeded from Arafat while al-Ḥums used to proceed from Muzdalifah and said: "We will not proceed from anywhere other than the Ḥaram area". God then revealed His words: "Surge onward from the place where all other pilgrims surge".' (2: 199) They then returned to Arafat'.**

وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا أَبُو أُسَامَةَ، حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، قَالَ: كَانَتِ الْعَرَبُ تَطُوفُ بِالْبَيْتِ عُرَاةً إِلاَّ الْحُمْسَ. وَالْحُمْسُ قُرَيْشٌ وَمَا وَلَدَتْ. كَانُوا يَطُوفُونَ عُرَاةً إِلاَّ أَنْ تُعْطِيَهُمُ الْحُمْسُ ثِيَابًا، فَيُعْطِي الرِّجَالُ الرِّجَالَ، وَالنِّسَاءُ النِّسَاءَ. وَكَانَتِ الْحُمْسُ لاَ يَخْرُجُونَ مِنَ الْـمُزْدَلِفَةِ، وَكَانَ النَّاسُ كُلُّهُمْ يَبْلُغُونَ عَرَفَاتٍ. قَالَ هِشَامٌ: فَحَدَّثَنِي أَبِي عَنْ عَائِشَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتِ: الْحُمْسُ هُمُ الَّذِينَ أَنْزَلَ اللهُ عَزَّ وَجَلَّ فِيهِمْ: «ثُمَّ أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ». قَالَتْ: كَانَ النَّاسُ يُفِيضُونَ مِنْ عَرَفَاتٍ، وَكَانَ الْحُمْسُ يُفِيضُونَ مِنَ الْـمُزْدَلِفَةِ. يَقُولُونَ: لاَ نُفِيضُ إِلاَّ مِنَ الْحَرَمِ، فَلَمَّا نَزَلَتْ: «أَفِيضُوا مِنْ حَيْثُ أَفَاضَ النَّاسُ» رَجَعُوا إِلَى عَرَفَاتٍ.

[2577–153]. (Dar al-Salam 2809) Abu Bakr ibn Abi Shaybah and ʿAmr al-Nāqid narrated:[ii] both from Ibn ʿUyaynah; ʿAmr said: Sufyān ibn ʿUyaynah narrated; from ʿAmr; he heard Muhammad ibn Jubayr ibn Muṭʿim narrating from his father, Jubayr ibn Muṭʿim. He said: **‘I lost a camel of mine, and I went looking for it on the Day of Arafat. I saw God’s Messenger (peace be upon him) stopping with the other people at Arafat. I thought: “By God, this one belongs to al-Ḥums. What is he doing stopping here?” The Quraysh were considered to belong to al-Ḥums’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَمْرٌو النَّاقِدُ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ عَمْرٌو حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، سَمِعَ مُحَمَّدَ بْنَ جُبَيْرِ بْنِ مُطْعِمٍ، يُحَدِّثُ عَنْ أَبِيهِ، جُبَيْرِ بْنِ مُطْعِمٍ، قَالَ: أَضْلَلْتُ بَعِيرًا لِي، فَذَهَبْتُ أَطْلُبُهُ يَوْمَ عَرَفَةَ. فَرَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَاقِفًا مَعَ النَّاسِ بِعَرَفَةَ، فَقُلْتُ: وَاللهِ إِنَّ هَذَا لَمِنَ الْحُمْسِ، فَمَا شَأْنُهُ هَاهُنَا؟ وَكَانَتْ قُرَيْشٌ تُعَدُّ مِنَ الْحُمْسِ.

Text Explanation

In the first hadith, No. 2575 ʿĀ'ishah says: 'The Quraysh and the people who followed its practice used to stop at Muzdalifah. They were called al-Ḥums', which means 'the pure'. Al-Ḥums refers to the Quraysh and its clans, as well as Kinānah and Jadīlat Qays. They were called by this name because they grew strict in their religion. It is also said that they were given this name because the Kaʿbah is described such and its stones are leaning towards black. We have already explained the meaning of this hadith, as we mentioned how they justified their stop at Muzdalifah and their refusal to go to Arafat.

The next hadith, No. 2576 mentions that the Arabs, other than al-Ḥums, used to perform the *ṭawāf* at the Kaʿbah in the nude. This is a gross indecency that they condoned in pre-Islamic days of ignorance. It is said that reference to this is made in the Qur'anic verse that says: 'When they commit a shameful deed, they say, "We found our fathers doing it", and "God has enjoined it upon us". Say: "Never does God enjoin what is indecent".' (7: 28) Therefore, when Abu Bakr performed the hajj in the ninth year of the Prophet's migration, the Prophet gave orders that callers should declare the prohibition of anyone doing the *ṭawāf* naked.

Hadith No. 2577 mentions that Jubayr ibn Muṭʿim saw the Prophet attending Arafat and wondered why he was doing so, considering that he belonged to al-Ḥums. *Qadi* ʿIyāḍ said: 'This was the case when the Prophet performed the hajj before his migration to Madinah, when Jubayr was still an unbeliever. He embraced Islam only on the day when Makkah fell to Islam, but some reports suggest that he became a Muslim at the time of the Battle of Khaybar. On this occasion of the hajj, he wondered at the Prophet's moving forward to attend Arafat, but God knows best'.

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i. Related by al-Bukhari, 4520; Abu Dāwūd, 1910; al-Nasā'ī, 3012.

ii. Related by al-Bukhari, 1664; al-Nasā'ī, 3013.

CHAPTER 22

RELEASING ONESELF FROM CONSECRATION OR STAYING IN IT

[2578–154]. (Dar al-Salam 2810-2811) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[i] Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah reported; from Qays ibn Muslim; from Ṭāriq ibn Shihāb; from Abu Mūsā. He said: **‘I joined God’s Messenger (peace be upon him) when he was encamping at al-Baṭḥā’. He asked me: “Are you performing the hajj?” I said: “Yes”. He said: “How did you declare your consecration?” I [mentioned that I] said: “I respond to you in the same way as the Prophet did”. He said: “You have done well. Perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, then release yourself from consecration”. I did the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah. I then went to a woman from the Qays clan, and she cleaned my head [from lice]. Later, I re-entered into consecration declaring for the hajj. I used to advise people to do the same. Then during ʿUmar’s reign a man said to him: “Abu Mūsā! or ʿAbdullāh ibn Qays! Be careful with some of your fatwas. You do not know what the *Amīr al-Mu’minīn* [i.e., the Caliph] has subsequently introduced into the hajj”. He declared: “You people, whoever I have given a fatwa to, should wait. The *Amīr al-Mu’minīn* is coming soon, and you should follow his example”. When ʿUmar came, I mentioned this to him, and he**

said: “If we take what God’s Book [i.e., the Qur’an] says, it orders completion [of the duties], and if we follow God’s Messenger’s example, he did not release himself until the sacrifice was slaughtered”.’

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، أَخْبَرَنَا شُعْبَةُ، عَنْ قَيْسِ بْنِ مُسْلِمٍ، عَنْ طَارِقِ بْنِ شِهَابٍ، عَنْ أَبِي مُوسَى قَالَ: قَدِمْتُ عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَهُوَ مُنِيخٌ بِالْبَطْحَاءِ، فَقَالَ لِي: «أَحَجَجْتَ»؟ فَقُلْتُ نَعَمْ. فَقَالَ: «بِمَ أَهْلَلْتَ»؟ قَالَ: قُلْتُ لَبَّيْكَ بِإِهْلاَلٍ كَإِهْلاَلِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ: «فَقَدْ أَحْسَنْتَ. طُفْ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ وَأَحِلَّ». قَالَ: فَطُفْتُ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ، ثُمَّ أَتَيْتُ امْرَأَةً مِنْ بَنِي قَيْسٍ، فَفَلَتْ رَأْسِي، ثُمَّ أَهْلَلْتُ بِالْحَجِّ. قَالَ: فَكُنْتُ أُفْتِي بِهِ النَّاسَ، حَتَّى كَانَ فِي خِلاَفَةِ عُمَرَ، رَضِيَ اللهُ عَنْهُ، فَقَالَ لَهُ رَجُلٌ: يَا أَبَا مُوسَى - أَوْ يَا عَبْدَ اللهِ بْنَ قَيْسٍ - رُوَيْدَكَ بَعْضَ فُتْيَاكَ، فَإِنَّكَ لاَ تَدْرِي مَا أَحْدَثَ أَمِيرُ الْـمُؤْمِنِينَ فِي النُّسُكِ بَعْدَكَ. فَقَالَ: يَا أَيُّهَا النَّاسُ، مَنْ كُنَّا أَفْتَيْنَاهُ فُتْيَا فَلْيَتَّئِدْ، فَإِنَّ أَمِيرَ الْـمُؤْمِنِينَ قَادِمٌ عَلَيْكُمْ، فَبِهِ فَائْتَمُّوا. قَالَ:فَقَدِمَ عُمَرُ، رَضِيَ اللهُ عَنْهُ، فَذَكَرْتُ ذَلِكَ لَهُ. فَقَالَ: إِنْ نَأْخُذْ بِكِتَابِ اللهِ فَإِنَّ كِتَابَ اللهِ يَأْمُرُ بِالتَّمَامِ، وَإِنْ نَأْخُذْ بِسُنَّةِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَإِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمْ يَحِلَّ حَتَّى بَلَغَ الْهَدْيُ مَحِلَّهُ.

ʿUbaydullāh ibn Muʿādh narrated: my father narrated; Shuʿbah narrated; with the same chain of transmission: **a similar text.**

وَحَدَّثَنَاهُ عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، فِي هَذَا الإِسْنَادِ نَحْوَهُ.

[2579–155]. (Dar al-Salam 2812) Muhammad ibn al-Muthannā narrated: ʿAbd al-Raḥmān (meaning Ibn Mahdī) narrated; Sufyān narrated; from Qays; from Ṭāriq ibn Shihāb; from Abu Mūsā. He said: **‘I joined God’s Messenger (peace be upon him) when he was encamping at al-Baṭḥā’. He asked me: “How did you declare your consecration?” I [mentioned that I] said: “I started as the Prophet started”. He asked me: “Have you brought a sacrifice with you?” I said: “No”. He said: “Then perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, then release yourself from consecration”. I did the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah. I then went to a woman from my people, and she combed my hair and washed my head. I used to advise people to do the same during the reigns of Abu Bakr and ʿUmar. It was in the [hajj] season when a man said to me: “You do not know what the *Amīr al-Mu’minīn* [i.e., the Caliph] has subsequently introduced into the hajj?”. I declared: “You people, whoever I have given a fatwa to, should wait. The *Amīr al-Mu’minīn* is coming soon, and you should follow his example”. When he came, I asked him: “What have you introduced concerning the hajj?” He said: “If we take what God’s Book [i.e., the Qur’an] says, God says: “Bring the hajj and the ʿumrah to their completion” (2: 196), and if we follow our Prophet’s sunnah, the Prophet (peace be upon him) did not release himself until he had slaughtered the sacrifice”.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الـمُثَنّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ (يَعْنِي ابْنَ مَهْدِيٍّ)، حَدَّثَنَا سُفْيَانُ، عَنْ قَيْسٍ، عَنْ طَارِقِ بْنِ شِهَابٍ، عَنْ أَبِي مُوسَى، رَضِيَ اللهُ عَنْهُ، قَالَ: قَدِمْتُ عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُنِيخٌ بِالْبَطْحَاءِ، فَقَالَ: «بِمَ أَهْلَلْتَ»؟ قَالَ: قُلْتُ أَهْلَلْتُ بِإِهْلَالِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ: «هَلْ سُقْتَ مِنْ هَدْيٍ»؟ قُلْتُ لا. قَالَ: «فَطُفْ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ ثُمَّ حِلَّ». فَطُفْتُ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ، ثُمَّ أَتَيْتُ امْرَأَةً مِنْ قَوْمِي، فَمَشَطَتْنِي وَغَسَلَتْ رَأْسِي. فَكُنْتُ أُفْتِي النَّاسَ بِذَلِكَ فِي إِمَارَةِ أَبِي بَكْرٍ، وَإِمَارَةِ عُمَرَ. فَإِنِّي لَقَائِمٌ بِالْـمَوْسِمِ، إِذْ جَاءَنِي رَجُلٌ فَقَالَ: إِنَّكَ لاَ تَدْرِي مَا أَحْدَثَ أَمِيرُ الْـمُؤْمِنِينَ فِي شَأْنِ النُّسُكِ. فَقُلْتُ: أَيُّهَا النَّاسُ مَنْ كُنَّا أَفْتَيْنَاهُ بِشَيْءٍ فَلْيَتَّئِدْ، فَهَذَا أَمِيرُ الْـمُؤْمِنِينَ قَادِمٌ عَلَيْكُمْ فَبِهِ فَائْتَمُّوا. فَلَمَّا قَدِمَ قُلْتُ: يَا أَمِيرَ الْـمُؤْمِنِينَ مَا هَذَا الَّذِي أَحْدَثْتَ فِي شَأْنِ النُّسُكِ؟ قَالَ: إِنْ نَأْخُذْ بِكِتَابِ اللهِ فَإِنَّ اللَّهَ عَزَّ وَجَلَّ قَالَ: «وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ»، وَإِنْ نَأْخُذْ بِسُنَّةِ نَبِيِّنَا عَلَيْهِ الصَّلاَةُ وَالسَّلاَمُ، فَإِنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمْ يَحِلَّ حَتَّى نَحَرَ الْهَدْيَ.

[2580–156]. (Dar al-Salam 2813) Isḥāq ibn Manṣūr and ʿAbd ibn Ḥumayd narrated to me: both said: Jaʿfar ibn ʿAwn reported; Abu ʿUmays reported; from Qays ibn Muslim; from Ṭāriq ibn Shihāb; from Abu Mūsā. He said: **‘God’s Messenger (peace be upon him) had sent me to Yemen. I came over and met him in the year when he performed the hajj. God’s Messenger (peace be upon him) said to me: “Abu Mūsā, what did you say when you started your consecration?” I said: “I respond to You in the**

same way as the Prophet”. He said: “Have you brought a sacrifice?” I said: “No”. He said: “Then go and perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, then release yourself from consecration”.’ He then narrated the hadith as Shuʿbah’s and Sufyān’s narrations.

وَحَدَّثَنِي إِسْحَاقُ بْنُ مَنْصُورٍ، وَعَبْدُ بْنُ حُمَيْدٍ، قَالا: أَخْبَرَنَا جَعْفَرُ بْنُ عَوْنٍ، أَخْبَرَنَا أَبُو عُمَيْسٍ، عَنْ قَيْسِ بْنِ مُسْلِمٍ، عَنْ طَارِقِ بْنِ شِهَابٍ، عَنْ أَبِي مُوسَى، رَضِيَ اللهُ عَنْهُ، قَالَ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَعَثَنِي إِلَى الْيَمَنِ. قَالَ: فَوَافَقْتُهُ فِي الْعَامِ الَّذِي حَجَّ فِيهِ، فَقَالَ لِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «يَا أَبَا مُوسَى، كَيْفَ قُلْتَ حِينَ أَحْرَمْتَ»؟ قَالَ: قُلْتُ لَبَّيْكَ إِهْلَالاً كَإِهْلاَلِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَقَالَ: «هَلْ سُقْتَ هَدْيًا»؟ فَقُلْتُ لا. قَالَ: «فَانْطَلِقْ، فَطُفْ بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ.ثُمَّ أَحِلَّ». ثُمَّ سَاقَ الْحَدِيثَ بِمِثْلِ حَدِيثِ شُعْبَةَ وَسُفْيَانَ.

[2581–157]. (Dar al-Salam 2814) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[ii] Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from al-Ḥakam; from ʿUmārah ibn ʿUmayr; from Ibrāhīm ibn Abi Mūsā; from Abu Mūsā; that **‘He used to advise doing the *tamattuʿ*. A man said to him: “Wait a little in regard to some of your rulings. You do not know what the *Amīr al-Mu’minīn* has recently introduced into the hajj”. Then he met him and asked him. ʿUmar said: “I know that the Prophet and his Companions did it, but I dislike that people**

should continue to be intimate with their wives among the trees, then go to their hajj with their heads dripping”.’

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، عَنْ عُمَارَةَ بْنِ عُمَيْرٍ، عَنْ إِبْرَاهِيمَ بْنِ أَبِي مُوسَى، عَنْ أَبِي مُوسَى، أَنَّهُ كَانَ يُفْتِي بِالْـمُتْعَةِ، فَقَالَ لَهُ رَجُلٌ: رُوَيْدَكَ بِبَعْضِ فُتْيَاكَ، فَإِنَّكَ لاَ تَدْرِي مَا أَحْدَثَ أَمِيرُ الْـمُؤْمِنِينَ فِي النُّسُكِ بَعْدُ. حَتَّى لَقِيَهُ بَعْدُ، فَسَأَلَهُ، فَقَالَ عُمَرُ: قَدْ عَلِمْتُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَدْ فَعَلَهُ وَأَصْحَابُهُ، وَلَكِنْ كَرِهْتُ أَنْ يَظَلُّوا مُعْرِسِينَ بِهِنَّ فِي الأَرَاكِ، ثُمَّ يَرُوحُونَ فِي الْحَجِّ تَقْطُرُ رُءُوسُهُمْ.

Text Explanation

This chapter focuses on the various narrations of the hadith narrated by Abu Mūsā al-Ashʿarī, the Prophet's companion. This hadith mentions several very interesting points. The first is that an unspecified *iḥrām* is valid. This takes the form of 'I enter into consecration in the same way as so-and-so'. This means that if it appears that so-and-so entered into consecration to do the hajj, or the ʿumrah, or chose the *qirān* method, then the same method applies to the other person. If so-and-so simply mentioned consecration without specifying a method, the other person's consecration is also unspecified. However, in this case, he need not follow the same method as so-and-so. He may choose any other form. Another point is to praise a person who does well, as the Prophet said to Abu Mūsā that he did well.

The Prophet instructed Abu Mūsā: 'Perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah and release yourself from consecration'. This means that he was in the same condition as the Prophet. His duty was to change his consecration from one of the hajj to one of the ʿumrah and complete its duties of *ṭawāf, saʿī* and cutting his hair. When he had done so, he would be released from consecration as his ʿumrah was complete. Cutting his hair is not mentioned by the Prophet because it was well-known to them, or perhaps it was included in releasing oneself.

'I then went to a woman from the Qays clan, and she cleaned my head.' This is understood to mean that this woman was one of his close relatives, such as his niece or sister or some other unmarriageable kin. He adds: 'Later I re-entered into consecration declaring for the hajj'. This means that after finishing his ʿumrah, he stayed in Makkah till the Day of al-Tarwiyah, 8 Dhul-Ḥijjah, and re-entered into *iḥrām*, as clearly stated in other narrations.

It may be said that both ʿAlī and Abu Mūsā attached their consecration to that of the Prophet, but the Prophet instructed ʿAlī to remain in consecration and Abu Mūsā to release himself after doing the ʿumrah. This is due to the fact that ʿAlī brought the sacrifice with him, as had the Prophet. Hence, he had to stay in consecration like the Prophet and all those who brought their sacrifices. On the other hand, as Abu Mūsā did not bring

a sacrifice, he could perform the ʿumrah and release himself, as was done by others in the same situation. All this was clarified earlier.

In hadith No. 2578 a man says to Abu Mūsā: ‘Be careful with your fatwa’. This was advice to wait a little until he had learnt what the Caliph advised. ʿUmar explained his way of thinking, saying: ‘If we take what God’s Book [i.e., the Qur’an] says, it orders completion [of the duties], and if we follow God’s Messenger’s example, he did not release himself until the sacrifice was slaughtered’. *Qadi* ʿIyāḍ said: ‘The apparent meaning of ʿUmar’s explanation is that he disapproved of changing the *iḥrām* of hajj to one of ʿumrah. His instructions against doing the *tamattuʿ* was of the type whereby a different method is more preferable. His disapproval of the change is one of invalidation. This is confirmed by his subsequent statement in hadith No. 2581: ‘I know that the Prophet and his Companions did it, but I dislike that people should continue to be intimate with their wives among the trees, then go to their hajj with their heads dripping’. This means that he disliked the *tamattuʿ* method because it involves full release and the permissibility of sexual intercourse with spouses until the time of leaving for Arafat.

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i. Related by al-Bukhari, 1559 and in shorter versions, 1565, 1724, 1795, 4346, 4397; al-Nasā’ī, 2737, 2741.

ii. Related by al-Nasā’ī, 2734; Ibn Mājah, 2979.

CHAPTER 23

DIFFERENT VIEWS ON THE *TAMATTUʿ* METHOD

[2582–158]. (Dar al-Salam 2815) Muhammad ibn al-Muthannā and Ibn Bashshār narrated: Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from Qatādah; he said: ʿAbdullāh ibn Shaqīq said: **‘ʿUthmān used to advise against the *tamattuʿ* method [in hajj] but ʿAlī used to urge doing it. ʿUthmān said some words to ʿAlī, and ʿAlī responded saying: “You know that we did the *tamattuʿ* with God’s Messenger (peace be upon him)”. ʿUthmān said: “Yes, but we were anxious”.’**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ قَالَ: قَالَ عَبْدُ اللهِ بْنُ شَقِيقٍ: كَانَ عُثْمَانُ يَنْهَى عَنِ الْـمُتْعَةِ، وَكَانَ عَلِيٌّ يَأْمُرُ بِهَا. فَقَالَ عُثْمَانُ لِعَلِيٍّ كَلِمَةً، ثُمَّ قَالَ عَلِيٌّ: لَقَدْ عَلِمْتَ أَنَّا قَدْ تَمَتَّعْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَقَالَ: أَجَلْ وَلَكِنَّا كُنَّا خَائِفِينَ.

Yaḥyā ibn Ḥabīb al-Ḥārithī narrated to me: Khālid (meaning Ibn al-Ḥārith) narrated; Shuʿbah narrated; with the same chain of transmission: **the same text.**

وَحَدَّثَنِيهِ يَحْيَى بْنُ حَبِيبٍ الْحَارِثِيَّ، حَدَّثَنَا خَالِدٌ (يَعْنِي ابْنَ الْحَارِثِ)، أَخْبَرَنَا شُعْبَةُ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2583–159]. (Dar al-Salam 2816) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[i] both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from ʿAmr ibn Murrah; from Saʿīd ibn al-Musayyib. He said: **‘ʿAlī and ʿUthmān met at ʿUsfān. ʿUthmān used to advise against the *tamattuʿ* method, or [starting with] the ʿumrah. ʿAlī said [to ʿUthmān]: “How come you are advising people against something God’s Messenger (peace be upon him) did?” ʿUthmān said: “Leave us alone”. ʿAlī said: “I cannot leave you alone”. When ʿAlī saw this, he declared his consecration for both the ʿumrah and hajj together’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَمُحَمَّدُ بْنُ بَشَّارٍ، قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ سَعِيدِ بْنِ الْـمُسَيَّبِ قَالَ: اجْتَمَعَ عَلِيٌّ وَعُثْمَانُ، رَضِيَ اللهُ عَنْهُمَا، بِعُسْفَانَ، فَكَانَ عُثْمَانُ يَنْهَى عَنِ الْـمُتْعَةِ أَوِ الْعُمْرَةِ. فَقَالَ عَلِيٌّ: مَا تُرِيدُ إِلَى أَمْرٍ فَعَلَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ تَنْهَى عَنْهُ؟ فَقَالَ عُثْمَانُ: دَعْنَا مِنْكَ. فَقَالَ: إِنِّي لاَ أَسْتَطِيعُ أَنْ أَدَعَكَ. فَلَمَّا أَنْ رَأَى عَلِيٌّ ذَلِكَ أَهَلَّ بِهِمَا جَمِيعًا.

[2584–160]. (Dar al-Salam 2817) Saʿīd ibn Manṣūr, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[ii] they said: Abu Muʿāwiyah narrated; from al-Aʿmash; from Ibrāhīm al-Taymī; from his father; from Abu Dharr. He said: **‘The *tamattuʿ* method of hajj was for Muhammad’s Companions in particular’.**

وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَابُو بَكرِ بْنُ ابِي شَيْبَةَ، وَابُو كُرَيْبٍ قَالُوا: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي ذَرٍّ، رَضِيَ اللَّهُ عَنْهُ، قَالَ: كَانَتِ الْـمُتْعَةُ فِي الْحَجِّ لأَصْحَابِ مُحَمَّدٍ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ خَاصَّةً.

[2585–161]. (Dar al-Salam 2818) Abu Bakr ibn Abi Shaybah narrated: ʿAbd al-Raḥmān ibn Mahdī narrated; from Sufyān; from ʿAyyāsh al-ʿĀmirī; from Ibrāhīm al-Taymī; from his father; from Abu Dharr. He said: **‘It was a concession given to us’. He meant the *tamattuʿ* in hajj.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ عَيَّاشٍ الْعَامِرِيِّ، عَنْ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي ذَرٍّ، رَضِيَ اللهُ عَنْهُ، قَالَ كَانَتْ لَنَا رُخْصَةً. يَعْنِي الْـمُتْعَةَ فِي الْحَجِّ.

[2586–162]. (Dar al-Salam 2819) Qutaybah ibn Saʿīd narrated: Jarīr narrated; from Fuḍayl; from Zubayd; from Ibrāhīm al-Taymī; from his father; he said: Abu Dharr said: **‘Both *mutʿahs* are not applicable except to us in particular’. He meant the *mutʿah* with women and the *tamattuʿ* in hajj.**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا جَرِيرٌ، عَنْ فُضَيْلٍ، عَنْ زُبَيْدٍ، عَنْ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ أَبِيهِ قَالَ: قَالَ أَبُو ذَرٍّ، رَضِيَ اللهُ عَنْهُ، لاَ تَصْلُحُ الْـمُتْعَتَانِ إِلاَّ لَنَا خَاصَّةً. يَعْنِي مُتْعَةَ النِّسَاءِ وَمُتْعَةَ الْحَجِّ.

[2587–163]. (Dar al-Salam 2820) Qutaybah narrated: Jarīr narrated; from Bayān; from ʿAbd al-Raḥmān ibn Abi al-Shaʿthā’. He said: **‘I went to Ibrāhīm al-Nakhaʿī and Ibrāhīm al-Taymī and said: “I intend to combine the ʿumrah and the hajj this year”. Ibrāhīm al-Nakhaʿī said: “But your father would not have had such an intention”.’**

Qutaybah said: Jarīr narrated; from Bayān; from Ibrāhīm al-Taymī; from his father; that he passed by Abu Dharr at al-Rabadhah and mentioned it to him. He said: **‘This was especially for us, but not for you’.**

حَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا جَرِيرٌ، عَنْ بَيَانٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي الشَّعْثَاءِ قَالَ: أَتَيْتُ إِبْرَاهِيمَ النَّخَعِيَّ وَإِبْرَاهِيمَ التَّيْمِيَّ فَقُلْتُ: إِنِّي أَهُمُّ أَنْ أَجْمَعَ الْعُمْرَةَ وَالْحَجَّ الْعَامَ. فَقَالَ إِبْرَاهِيمُ النَّخَعِيُّ: لَكِنْ أَبُوكَ لَمْ يَكُنْ لِيَهُمَّ بِذَلِكَ.

قَالَ قُتَيْبَةُ: حَدَّثَنَا جَرِيرٌ عَنْ بَيَانٍ عَنْ إِبْرَاهِيمَ التَّيْمِيِّ عَنْ أَبِيهِ أَنَّهُ مَرَّ بِأَبِي ذَرٍّ، رَضِيَ اللَّهُ عَنْهُ، بِالرَّبَذَةِ، فَذَكَرَ لَهُ ذَلِكَ، فَقَالَ: إِنَّمَا كَانَتْ لَنَا خَاصَّةً دُونَكُمْ.

[2588–164]. (Dar al-Salam 2821-2822) Saʿīd ibn Manṣūr and Ibn Abi ʿUmar narrated: both from al-Fazārī; Saʿīd said: Marwān ibn Muʿāwiyah narrated; Sulaymān al-Taymī reported; from Ghunaym ibn Qays. He said: **‘I asked Saʿd ibn Abi Waqqāṣ about the *mutʿah* [i.e.. *tamttuʿ*]? He said: “We did it, when this one was still an unbeliever, living in Makkan houses”.’**

وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ الْفَزَارِيِّ. قَالَ سَعِيدٌ حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، أَخْبَرَنَا

سُلَيْمَانُ التَّيْمِيَّ، عَنْ غَنَيْمِ بْنِ قَيْسٍ، قَالَ: سَالتُ سَعْدَ بْنَ أَبِي وَقَّاصٍ، رَضِيَ اللَّهُ عَنْهُ، عَنِ الْـمُتْعَةِ، فَقَالَ فَعَلْنَاهَا وَهَذَا يَوْمَئِذٍ كَافِرٌ بِالْعُرُشِ. يَعْنِي بُيُوتَ مَكَّةَ.

Abu Bakr ibn Abi Shaybah narrated: Yaḥyā ibn Saʿīd narrated; from Sulaymān al-Taymī; with the same chain of transmission: **the same text, but he said: ‘Meaning Muʿāwiyah’.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُلَيْمَانَ التَّيْمِيِّ، بِهَذَا الإِسْنَادِ: وَقَالَ فِي رِوَايَتِهِ: يَعْنِي مُعَاوِيَةَ.

[2589–000]. (Dar al-Salam 2823) ʿAmr al-Nāqid narrated to me: Abu Ahmad al-Zubayrī narrated; Sufyān narrated [H]. Muhammad ibn Abi Khalaf narrated to me; Rawḥ ibn ʿUbādah narrated; Shuʿbah narrated; all from Sulaymān al-Taymī; with the same chain of transmission; **the same text, but in Sufyān’s narration: ‘About the *tamattuʿ* in hajj’.**

وَحَدَّثَنِي عَمْرٌو النَّاقِدُ، حَدَّثَنَا أَبُو أَحْمَدَ الزُّبَيْرِيُّ، حَدَّثَنَا سُفْيَانُ ح. وَحَدَّثَنِي مُحَمَّدُ بْنُ أَبِي خَلَفٍ، حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا شُعْبَةُ، جَمِيعًا عَنْ سُلَيْمَانَ التَّيْمِيِّ، بِهَذَا الإِسْنَادِ: مِثْلَ حَدِيثِهِمَا. وَفِي حَدِيثِ سُفْيَانَ: الْـمُتْعَةُ فِي الْحَجِّ.

[2590–165]. (Dar al-Salam 2824) Zuhayr ibn Ḥarb narrated to me:[iii] Ismāʿīl ibn Ibrāhīm narrated; al-Jurayrī narrated; from Abu al-ʿAlā’; from Muṭarrif; he said: ʿImrān ibn Ḥuṣayn said to me: **‘I**

am narrating a hadith to you today and God may benefit you by it in the future. Learn that God’s Messenger (peace be upon him) let a group of his household do the ʿumrah in the ten [days of Dhul-Ḥijjah], and no verse was subsequently revealed to invalidate this. Nor did God’s Messenger prohibit it at any time until he departed [this life]. Let anyone then think for themselves whatever they may wish’.

وَحَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، حَدَّثَنَا الْجُرَيْرِيُّ، عَنْ أَبِي الْعَلاَءِ، عَنْ مُطَرِّفٍ قَالَ: قَالَ لِي عِمْرَانُ بْنُ حُصَيْنٍ: إِنِّي لأُحَدِّثُكَ بِالْحَدِيثِ الْيَوْمَ، يَنْفَعُكَ اللهُ بِهِ بَعْدَ الْيَوْمِ. وَاعْلَمْ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَدْ أَعْمَرَ طَائِفَةً مِنْ أَهْلِهِ فِي الْعَشْرِ، فَلَمْ تَنْزِلْ آيَةٌ تَنْسَخُ ذَلِكَ، وَلَمْ يَنْهَ عَنْهُ حَتَّى مَضَى لِوَجْهِهِ ارْتَأَى كُلُّ امْرِئٍ بَعْدُ مَا شَاءَ أَنْ يَرْتَئِيَ.

[2591–166]. (Dar al-Salam 2825) Isḥāq ibn Ibrāhīm and Muhammad ibn Ḥātim narrated: both from Wakīʿ; Sufyān narrated; from al-Jurayrī; with the same chain of transmission: **the same text.**

Ibn Ḥātim said in his narration: **‘Let anyone think for himself whatever he may wish (meaning ʿUmar)’.**

وَحَدَّثَنَاهُ إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَمُحَمَّدُ بْنُ حَاتِمٍ، كِلاَهُمَا عَنْ وَكِيعٍ، حَدَّثَنَا سُفْيَانُ، عَنِ الْجُرَيْرِيِّ، فِي هَذَا الإِسْنَادِ.

وَقَالَ ابْنُ حَاتِمٍ فِي رِوَايَتِهِ: ارْتَأَى رَجُلٌ بِرَأْيِهِ مَا شَاءَ. يَعْنِي عُمَرَ.

[2592–167]. (Dar al-Salam 2826-2827) ʿUbaydullāh ibn Muʿādh narrated to me:[iv] my father narrated; Shuʿbah narrated; from Ḥumayd ibn Hilāl; from Muṭarrif; he said: ʿImrān ibn Ḥuṣayn said to me: **‘I shall narrate to you a hadith hoping that God will benefit you by it. God’s Messenger (peace be upon him) combined a hajj with an ʿumrah, and he never prohibited this until he died. Nor was there any Qur’anic revelation to forbid it. I was being greeted until I used cauterisation when I was left alone. I stopped the use of cautery and the greeting returned’.**

وَحَدَّثَنِي عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنْ حُمَيْدِ بْنِ هِلاَلٍ، عَنْ مُطَرِّفٍ قَالَ: قَالَ لِي عِمْرَانُ بْنُ حُصَيْنٍ: أُحَدِّثُكَ حَدِيثًا عَسَى اللهُ أَنْ يَنْفَعَكَ بِهِ. إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ جَمَعَ بَيْنَ حَجَّةٍ وَعُمْرَةٍ، ثُمَّ لَمْ يَنْهَ عَنْهُ حَتَّى مَاتَ، وَلَمْ يَنْزِلْ فِيهِ قُرْآنٌ يُحَرِّمُهُ. وَقَدْ كَانَ يُسَلَّمُ عَلَيَّ حَتَّى اكْتَوَيْتُ فَتُرِكْتُ. ثُمَّ تَرَكْتُ الْكَيَّ فَعَادَ.

Muhammad ibn al-Muthannā and Ibn Bashshār narrated: both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from Ḥumayd ibn Hilāl; he said: I heard Muṭarrif say: ʿImrān ibn Ḥuṣayn told me: **the same text as Muʿādh’s narration.**

حَدَّثَنَاهُ مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ حُمَيْدِ بْنِ هِلاَلٍ قَالَ: سَمِعْتُ مُطَرِّفًا قَالَ: قَالَ لِي عِمْرَانُ بْنُ حُصَيْنٍ... بِمِثْلِ حَدِيثِ مُعَاذٍ.

[2593–168]. (Dar al-Salam 2828) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[v] Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; from Shuʿbah; from Qatādah; from Muṭarrif; he said: ʿImrān ibn Ḥuṣayn sent for me during his final illness. He said: **‘I am narrating to you some hadiths that God may benefit you by them after I am gone. If I live, keep this to yourself, and if I die you may report it if you so wish. I have been greeted. Know that the Prophet (peace be upon him) combined the hajj with an ʿumrah, and subsequently neither Qur’anic revelation was given about it, nor did the Prophet prohibit it. Let any man say about it whatever he may think’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، عَنْ شُعْبَةَ، عَنْ قَتَادَةَ، عَنْ مُطَرِّفٍ قَالَ: بَعَثَ إِلَيَّ عِمْرَانُ بْنُ حُصَيْنٍ فِي مَرَضِهِ الَّذِي تُوُفِّيَ فِيهِ فَقَالَ: إِنِّي كُنْتُ مُحَدِّثَكَ بِأَحَادِيثَ، لَعَلَّ اللَّهَ أَنْ يَنْفَعَكَ بِهَا بَعْدِي. فَإِنْ عِشْتُ فَاكْتُمْ عَنِّي، وَإِنْ مُتُّ فَحَدِّثْ بِهَا إِنْ شِئْتَ. إِنَّهُ قَدْ سُلِّمَ عَلَيَّ. وَاعْلَمْ أَنَّ نَبِيَّ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَدْ جَمَعَ بَيْنَ حَجٍّ وَعُمْرَةٍ، ثُمَّ لَمْ يَنْزِلْ فِيهَا كِتَابُ اللهِ، وَلَمْ يَنْهَ عَنْهَا نَبِيُّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ رَجُلٌ فِيهَا بِرَأْيِهِ مَا شَاءَ.

[2594–169]. (Dar al-Salam 2829) Isḥāq ibn Ibrāhīm narrated: ʿĪsā ibn Yūnus narrated; Saʿīd ibn Abi ʿArūbah narrated; from Qatādah; from Muṭarrif ibn ʿAbdullāh ibn al-Shikhkhīr; from ʿImrān ibn al-Ḥuṣayn. He said: **‘Know that the Prophet (peace be upon him) combined the hajj with an ʿumrah and subsequently, neither was anything revealed about it in the Book, nor did the Prophet**

prohibit us doing them. Let any man say about it whatever he may think’.

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، حَدَّثَنَا عِيسَى بْنُ يُونُسَ، حَدَّثَنَا سَعِيدُ بْنُ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ مُطَرِّفِ بْنِ عَبْدِ اللهِ بْنِ الشِّخِّيرِ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ، رَضِيَ اللهُ عَنْهُ، قَالَ: اعْلَمْ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ جَمَعَ بَيْنَ حَجٍّ وَعُمْرَةٍ، ثُمَّ لَمْ يَنْزِلْ فِيهَا كِتَابٌ، وَلَمْ يَنْهَنَا عَنْهُمَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ فِيهَا رَجُلٌ بِرَأْيِهِ مَا شَاءَ.

[2595–170]. (Dar al-Salam 2830) Muhammad ibn al-Muthannā narrated:[vi] ʿAbd al-Ṣamad narrated to me; Hammām narrated; Qatādah narrated; from Muṭarrif; from ʿImrān ibn Ḥuṣayn. He said: **‘We did the *tamattuʿ* with God’s Messenger (peace be upon him) and no Qur’anic revelations were given about it. Let any man say what he may think’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنِي عَبْدُ الصَّمَدِ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا قَتَادَةُ، عَنْ مُطَرِّفٍ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ، رَضِيَ اللهُ عَنْهُ، قَالَ: تَمَتَّعْنَا مَعَ رَسُولِ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَلَمْ يَنْزِلْ فِيهِ الْقُرْآنُ. قَالَ رَجُلٌ بِرَأْيِهِ مَا شَاءَ.

[2596–171]. (Dar al-Salam) Ḥajjāj ibn al-Shāʿir narrated to me:[vii] ʿUbaydullāh ibn ʿAbd al-Majīd narrated; Ismāʿīl ibn Muslim narrated; Muhammad ibn Wāsiʿ narrated to me; from Muṭarrif ibn ʿAbdullāh ibn al-Shikhkhīr; from ʿImrān ibn Ḥuṣayn: **the same**

text but he said: ‘God’s Messenger did the *tamattuʿ* and we did it with him’.

وَحَدَّثَنِيهِ حَجَّاجُ بْنُ الشَّاعِرِ، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عَبْدِ الْـمَجِيدِ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ مُسْلِمٍ، حَدَّثَنِي مُحَمَّدُ بْنُ وَاسِعٍ، عَنْ مُطَرِّفِ بْنِ عَبْدِ اللهِ بْنِ الشِّخِّيرِ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ، رَضِيَ اللهُ عَنْهُ، بِهَذَا الْحَدِيثِ، قَالَ: تَمَتَّعَ نَبِيُّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَتَمَتَّعْنَا مَعَهُ.

[2597–172]. (Dar al-Salam 2831) Ḥāmid ibn ʿUmar al-Bakrāwī and Muhammad ibn Abu Bakr al-Muqaddamī narrated:[viii] both said: Bishr ibn al-Mufaḍḍal narrated; ʿImrān ibn Muslim narrated; from Abu Rajā’; he said: ʿImrān ibn Ḥuṣayn said: **‘The verse mentioning the *tamattuʿ* (meaning *tamattuʿ* in the hajj) is revealed in God’s Book, and God’s Messenger instructed us to do it. Subsequently, no verse was revealed to abrogate the verse speaking about the *tamattuʿ* in hajj. Nor did God’s Messenger (peace be upon him) prohibit it until he died. Let any man then say about it whatever he may think’.**

حَدَّثَنَا حَامِدُ بْنُ عُمَرَ الْبَكْرَاوِيُّ، وَمُحَمَّدُ بْنُ أَبِي بَكْرٍ الْـمُقَدَّمِيُّ، قَالا: حَدَّثَنَا بِشْرُ بْنُ الْـمُفَضَّلِ، حَدَّثَنَا عِمْرَانُ بْنُ مُسْلِمٍ، عَنْ أَبِي رَجَاءٍ قَالَ: قَالَ عِمْرَانُ بْنُ حُصَيْنٍ: نَزَلَتْ آيَةُ الْـمُتْعَةِ فِي كِتَابِ اللهِ - يَعْنِي مُتْعَةَ الْحَجِّ - وَأَمَرَنَا بِهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. ثُمَّ لَمْ تَنْزِلْ آيَةٌ تَنْسَخُ آيَةَ مُتْعَةِ الْحَجِّ، وَلَمْ يَنْهَ عَنْهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَتَّى مَاتَ. قَالَ رَجُلٌ بِرَأْيِهِ بَعْدُ مَا شَاءَ.

[2598–173].[ix] Muhammad ibn Ḥātim narrated to me: Yaḥyā ibn Saʿīd narrated; from ʿImrān al-Qaṣīr; Abu Rajā’ narrated; from ʿImrān ibn Ḥuṣayn: **the same text but he said: ‘And we did it with God’s Messenger (peace be upon him)’. He did not say, ‘instructed us to do it’.**

وَحَدَّثَنِيهِ مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ عِمْرَانَ الْقَصِيرِ، حَدَّثَنَا أَبُو رَجَاءٍ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ: بِمِثْلِهِ، غَيْرَ أَنَّهُ قَالَ: وَفَعَلْنَاهَا مَعَ رَسُولِ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَلَمْ يَقُلْ: وَأَمَرَنَا بِهَا.

Text Explanation

In the first hadith, No. 2582 ʿUthmān is said to advise against the *tamattuʿ* method,[x] but ʿAlī used to urge people to do it. The word used in the hadith for *tamattuʿ* is *mutʿah*, which is derived from the same root, but it also has another meaning, which is 'temporary marriage'. What is clear here is that ʿUthmān advised against doing the hajj in the *tamattuʿ* method, as did ʿUmar. They did not consider it forbidden but felt that it is discouraged. They discouraged it because they considered *ifrād* to be preferable. A ruler is commanded to look for what serves the interests of his subjects better. Both of them thought that doing the hajj in the *ifrād* method served their interests best, but God knows best. ʿAlī then said to ʿUthmān that he was aware that they did the *tamattuʿ* hajj with God's Messenger. ʿUthmān replied: 'Yes, but we were anxious'. Perhaps he was referring to the compensatory ʿumrah the Prophet and his Companions did in Year 7 before Makkah fell to Islam. Yet there was no real *tamattuʿ* in that year, but it was an ʿumrah on its own.

In hadith No. 2583 when ʿAlī objected to ʿUthmān urging people not to do the hajj in the *tamattuʿ* method, ʿUthmān said to him: 'Leave us alone'. ʿAlī said that he could not do so, and he offered the hajj combining both the hajj and the ʿumrah together. This is an act of spreading knowledge and acting on it, as well as putting a different point of view to rulers and others to establish the truth of matters. We also have in it an example of fulfilling the duty of providing sound counsel. This is the meaning of ʿAlī's answer: 'I cannot leave you alone'. The fact that ʿAlī declared his intention to do the hajj and ʿumrah together may be cited as evidence in support of the view that the *qirān* method is preferable. However, those who consider the *ifrād* preferable will answer saying that he only did it so that people would know that it is permissible, and that they, or at least some of them, would not think that only the *ifrād* is permissible, and that the *tamattuʿ* and *qirān* are not, but God knows best.

In hadith No. 2584 Abu Dharr says: 'The *tamattuʿ* method of hajj was for Muhammad's Companions in particular'. And in the next hadith, he says: 'It was a concession given to us'. In hadith No. 2586 he says: 'Both *mutʿahs* are not applicable except to us in particular'. He meant the *mutʿah*

with women and the *tamattuʿ* in hajj. And in the following hadith, he says: ‘This was especially for us, but not for you’. Scholars said: ‘All these hadiths mean that changing the consecration declared for the hajj into one for the ʿumrah was permitted only to the Prophet’s Companions for the year of the Farewell Pilgrimage only. It is not permissible thereafter. Abu Dharr did not mean that the *tamattuʿ* method became invalid. All he meant was stopping the hajj and picking up the ʿumrah in its place. The reason was to end the practice of the days of ignorance, when ʿumrah during hajj months was prevented. We explained all this in the previous chapter, but God knows best. Abu Dharr states: ‘Both *mutʿahs* are not applicable except to us in particular’. This means that they were made applicable to us at the time we did it, but both became forbidden for the rest of time, but God knows best.

In hadith No. 2588 the narrator says: ‘I asked Saʿd ibn Abi Waqqāṣ about the *mutʿah*? He said: “We did it, when this one was still an unbeliever, living in Makkan houses”.’ The person referred to as being an unbeliever at the time was Muʿāwiyah ibn Abi Sufyān. In the Arabic text of the hadith, Muʿāwiyah is described as *kāfir*. The word may be taken to mean one of two things. The first is stated by al-Māzarī and others, suggesting that it means ‘resident’. This is a well-known usage of the word and its derivatives. The other meaning is to be ‘an unbeliever’. Thus, the meaning of the hadith is that ‘we used the *tamattuʿ* when Muʿāwiyah was still an unbeliever, living in Makkah and practising the religion of ignorance. This is the choice of *Qadi* ʿIyāḍ and other scholars. It is indeed the correct view. Thus, the *mutʿah* in this instance means the ʿumrah that the Prophet and his Companions did in the seventh year of the Prophet’s migration. It was the compensatory ʿumrah for the one they could not do the previous year. At the time, Muʿāwiyah was still an unbeliever. He embraced Islam the following year, which was the year Makkah fell to Islam. It is said that he adopted Islam after the compensatory ʿumrah in the seventh year, but the first view is the correct one. When the Prophet did his other ʿumrahs, Muʿāwiyah was a Muslim, living in Madinah as a companion of the Prophet. This hadith makes it clear that the *tamattuʿ* is a permissible method to adopt in the hajj.

Hadith No. 2590 quotes ʿImrān ibn Ḥuṣayn: ‘Learn that God’s Messenger (peace be upon him) let a group of his household do the ʿumrah in the ten [days of Dhul-Ḥijjah], and no verse was subsequently revealed to invalidate this. Nor did God’s Messenger prohibit it at any time until he departed [this life]’. And in hadith No. 2592 he says: ‘God’s Messenger (peace be upon him) combined a hajj with an ʿumrah, and he never prohibited this until he died. Nor was there any Qur’anic revelation to forbid it’. Also, in hadith No. 2591 he comments: ‘Let anyone think for himself whatever he may wish, meaning ʿUmar’. In the other hadiths, ʿImrān ibn Ḥuṣayn confirms that the Prophet and his Companions did the *tamattuʿ* in the hajj and that he ordered his Companions to do this. All these hadiths consistently confirm that ʿImrān stressed that the *tamattuʿ* method, which means release from *iḥrām* after doing the ʿumrah until the hajj days, is permissible, as is also the *qirān* method. They also make it clear that he disagreed with ʿUmar when he ordered people not to do the *tamattuʿ*. We have already explained that ʿUmar did not wish to prohibit the *tamattuʿ* but stressed that the *ifrād* method was more preferable.

In hadith No. 2592 ʿImrān ibn Ḥuṣayn says: ‘I was being greeted until I used cauterisation when I was left alone. I stopped the use of cautery and the greeting returned’. This refers to ʿImrān’s illness. He had a long complaint of haemorrhoids, and he tolerated his illness with exemplary patience. Angels used to greet him. When he used cautery as medication, the angels stopped greeting him. He later stopped this treatment and they resumed greeting him.

In hadith No. 2593 Muṭarrif, the narrator, says: ‘ʿImrān ibn Ḥuṣayn sent to me during his final illness. He said: “I am narrating to you some hadiths that God may benefit you by them after I am gone. If I live, keep this to yourself, and if I die you may report it if you so wish. I have been greeted. Know that the Prophet (peace be upon him) combined the hajj with an ʿumrah”.’ This took place shortly before ʿImrān’s death, and he tells his interlocutor: ‘If I live, keep this to yourself’. What he wanted him to suppress is the fact that he was being greeted by angels. He did not wish this to be known during his own lifetime, fearing that it may lead to admiration and self-congratulation. This would not happen after his death, so he allowed Muṭarrif to report it if he so wished.

ʿImrān says to Muṭarrif that he would be narrating some hadiths ‘that God may benefit you by them’. If you implement them and teach them to others you will reap good benefit. He mentions ‘hadiths’, in the plural, which means a minimum of three, as Arabic has a dual form, which is different from the plural form used for only three or more. Yet here we have only one hadith, which concerns the combination of the hajj and the ʿumrah. The information about his being greeted by the angels is not a hadith. This means that the other hadiths ʿImrān narrated to Muṭarrif are not mentioned in this narration.

Transmission

The chain of transmission of hadith No. 2597 starts with the narrator Ḥāmid ibn ʿUmar al-Bakrāwī. His surname affiliates him to his grandfather's grandfather, who was Abu Bakrah - a companion of the Prophet. Thus, his full name is Ḥāmid ibn ʿUmar ibn Ḥafṣ ibn ʿUmar ibn ʿUbaydullāh ibn Abu Bakrah al-Thaqafī.

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i. Related by al-Bukhari in a shorter version with the same meaning, 1569; al-Nasā'ī, 2732 in similar wording.

ii. Related by al-Nasā'ī, 2808, 2809, 2810, 2811; Ibn Mājah, 2985.

iii. Related by Ibn Mājah, 2978.

iv. Related by al-Nasā'ī in a shorter version, 2725.

v. Related by al-Nasā'ī in a shorter version, 2726.

vi. Related by al-Bukhari, 1571.

vii. Related by al-Nasā'ī, 2727, 2738. In Dar al-Salam's edition, this hadith is attached to the previous one.

viii. Related by al-Bukhari, 4518.

ix. In Dar al-Salam's edition, this hadith is attached to the previous one.

x. *Mutʿah* and *tamattuʿ* are used interchangeably in the context of pilgrimage. Linguistically speaking, they are derived from the same root which means 'enjoyment, relaxation'. A pilgrim who uses this method enjoys the relaxation of the restriction of consecration in between doing the ʿumrah and performing the hajj later.

CHAPTER 24

THE SACRIFICE DUTY FOR *TAMATTUʿ*

[2599–174]. (Dar al-Salam 2832) ʿAbd al-Malik ibn Shuʿayb ibn al-Layth narrated:[i] my father narrated; from my grandfather; ʿUqayl ibn Khālid narrated to me; from Ibn Shihāb; from Sālim ibn ʿAbdullāh; that ʿAbdullāh ibn ʿUmar said: **‘In the Farewell Pilgrimage, God’s Messenger (peace be upon him) took advantage of doing the ʿumrah before the hajj and he gave his sacrifice. He brought his sacrifice with him from Dhul-Ḥulayfah. God’s Messenger (peace be upon him) started his *iḥrām* for the ʿumrah, then for the hajj. Other people took advantage like God’s Messenger, performing the ʿumrah before the hajj. Some people brought their sacrifice with them, and some did not. When God’s Messenger (peace be upon him) arrived in Makkah, he said to people: “Whoever of you has brought his sacrifice, nothing of the restrictions of *iḥrām* is permitted to him until he has done his hajj. Those who have not brought their sacrifice should perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, cut their hair and release themselves from *iḥrām*. Later, they resume their consecration for the hajj and slaughter their sacrifice. Anyone who cannot find a sacrifice must fast three days during the hajj and seven other days when he returns to his family”. God’s Messenger (peace be upon him) performed the *ṭawāf* when he arrived in Makkah, touching the Black Stone first, then jogged**

for three rounds of the seven and walked in the other four. When he finished his *ṭawāf* at the Kaʿbah, he prayed two *rakʿahs* at Maqām [Ibrāhīm]. He finished his prayer with salam and proceeded to al-Ṣafa and did the *saʿī* between al-Ṣafa and al-Marwah seven rounds. He did not release himself from any restriction until he finished his hajj, slaughtered his sacrifice and performed the *ṭawāf al-ifāḍah* at the Kaʿbah. He was then free of all the restrictions of *iḥrām*. Everyone who had brought their sacrifice with them did the same as God's Messenger (peace be upon him)'.

حَدَّثَنَا عَبْدُ الْـمَلِكِ بْنُ شُعَيْبِ بْنِ اللَّيْثِ، حَدَّثَنِي أَبِي، عَنْ جَدِّي، حَدَّثَنِي عُقَيْلُ بْنُ خَالِدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ، أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: تَمَتَّعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ بِالْعُمْرَةِ إِلَى الْحَجِّ، وَأَهْدَى فَسَاقَ مَعَهُ الْهَدْيَ مِنْ ذِي الْحُلَيْفَةِ. وَبَدَأَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَأَهَلَّ بِالْعُمْرَةِ، ثُمَّ أَهَلَّ بِالْحَجِّ. وَتَمَتَّعَ النَّاسُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْعُمْرَةِ إِلَى الْحَجِّ. فَكَانَ مِنَ النَّاسِ مَنْ أَهْدَى فَسَاقَ الْهَدْيَ، وَمِنْهُمْ مَنْ لَمْ يُهْدِ. فَلَمَّا قَدِمَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَكَّةَ قَالَ لِلنَّاسِ: «مَنْ كَانَ مِنْكُمْ أَهْدَى فَإِنَّهُ لاَ يَحِلُّ مِنْ شَيْءٍ حَرُمَ مِنْهُ، حَتَّى يَقْضِيَ حَجَّهُ. وَمَنْ لَمْ يَكُنْ مِنْكُمْ أَهْدَى، فَلْيَطُفْ بِالْبَيْتِ وَبِالصَّفَا وَالْـمَرْوَةِ وَلْيُقَصِّرْ وَلْيَحْلِلْ، ثُمَّ لْيُهِلَّ بِالْحَجِّ، وَلْيُهْدِ، فَمَنْ لَمْ يَجِدْ هَدْيًا فَلْيَصُمْ ثَلاَثَةَ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةً إِذَا رَجَعَ إِلَى أَهْلِهِ». وَطَافَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِينَ قَدِمَ مَكَّةَ، فَاسْتَلَمَ الرُّكْنَ

إِوَّلَ شَيْءٍ، ثَمَّ خَبّ ثَلاَثَةَ اطوَافٍ مِنَ السَّبْعِ، وَمَشَى أَرْبَعَةَ أَطْوَافٍ. ثُمَّ رَكَعَ، حِينَ قَضَى طَوَافَهُ بِالْبَيْتِ، عِنْدَ الْـمَقَامِ رَكْعَتَيْنِ، ثُمَّ سَلَّمَ فَانْصَرَفَ. فَأَتَى الصَّفَا، فَطَافَ بِالصَّفَا وَالْـمَرْوَةِ سَبْعَةَ أَطْوَافٍ. ثُمَّ لَمْ يَحْلِلْ مِنْ شَيْءٍ حَرُمَ مِنْهُ حَتَّى قَضَى حَجَّهُ، وَنَحَرَ هَدْيَهُ يَوْمَ النَّحْرِ، وَأَفَاضَ فَطَافَ بِالْبَيْتِ، ثُمَّ حَلَّ مِنْ كُلِّ شَيْءٍ حَرُمَ مِنْهُ. وَفَعَلَ مِثْلَ مَا فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَنْ أَهْدَى وَسَاقَ الْهَدْيَ مِنَ النَّاسِ.

[2600–175].[ii] ʿAbd al-Malik ibn Shuʿayb narrated to me:[iii] my father narrated to me; from my grandfather; ʿUqayl narrated to me; from Ibn Shihāb; from ʿUrwah ibn al-Zubayr; that ʿĀ’ishah, the Prophet’s wife, reported to him how **‘God’s Messenger (peace be upon him) took advantage of performing the hajj and the ʿumrah, and that people did like him’.** This is the same as reported by Sālim ibn ʿAbdullāh, from ʿAbdullāh, from God’s Messenger (peace be upon him).

وَحَدَّثَنِيهِ عَبْدُ الْـمَلِكِ بْنُ شُعَيْبٍ، حَدَّثَنِي أَبِي، عَنْ جَدِّي، حَدَّثَنِي عُقَيْلٌ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، أَنَّ عَائِشَةَ، زَوْجَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَخْبَرَتْهُ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي تَمَتُّعِهِ بِالْحَجِّ إِلَى الْعُمْرَةِ. وَتَمَتُّعِ النَّاسِ مَعَهُ، بِمِثْلِ الَّذِي أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللهِ، عَنْ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُ، عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

The hadith mentions that the Prophet ‘took advantage’ of doing the ʿumrah before the hajj. The Arabic equivalent of ‘took advantage’ is *tamattaʿa*, which is the verb form of *tamattuʿ*. *Qadi* ʿIyāḍ said that it is used here in its linguistic sense, which is ultimately the *qirān* method. What it means in practice is that the Prophet first entered into consecration declaring for the hajj on its own, then added the consecration for ʿumrah and thus he was ultimately doing the *qirān* method of hajj. A person who does the *qirān* is ‘taking advantage’ in both the linguistic and religious senses because he benefits by having the same *mīqāt*, consecration and action for both duties. This understanding is necessary to reconcile the relevant hadiths, as we mentioned in earlier chapters. Ibn ʿUmar, the narrator of this hadith, also reports that the Prophet did his hajj in the *ifrād* method, as mentioned in hadith No. 2611.

In this hadith, the narrator, ʿAbdullāh ibn ʿUmar, says: ‘God’s Messenger (peace be upon him) started his *iḥrām* for the ʿumrah, then for the hajj’. This is understood to refer to the *talbiyah* during consecration. It is not meant to say that the Prophet first declared his consecration for the ʿumrah, then declared for the hajj. To say so is to contradict earlier hadiths. We explained how these hadiths are reconciled. Hence, this one must be understood in agreement with them. This understanding is confirmed by the next sentence, which says: ‘Other people took advantage like God’s Messenger, performing the ʿumrah before the hajj’. It is well-known that many of them, or indeed the majority, started their *iḥrām* declaring for the hajj alone, i.e., in the *ifrād* method, then changed it to make it an ʿumrah, which means that it became in the *tamattuʿ* method. Hence, the statement that ‘people also took advantage’ means they did so ultimately, but God knows best.

The Prophet said in this hadith that those of his Companions ‘who have not brought their sacrifice should perform the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, cut their hair and release themselves from *iḥrām*. Later, they resume their consecration for the hajj and slaughter their sacrifice. Anyone who cannot find a sacrifice must fast three days during the hajj and seven other days when he returns to his family’. The Prophet’s

instructions to his Companions meant that they should do the *ṭawāf*, the *saʿī* and cut a part of their hair. This would signify their release from consecration. This is evidence that cutting one's hair or shaving one's head is one of the rituals of the hajj and ʿumrah. This is the correct view of our Shāfiʿī School. It is subscribed to by the majority of scholars. Some, however, say that cutting one's hair is not a ritual of hajj or ʿumrah, but merely signifies the permission to do what was restricted. This view, however, lacks firm support, it will be clarified at the appropriate place, God willing. The Prophet ordered cutting the hair in this case, not shaving one's head, so that the pilgrim would still have hair to remove during the hajj because shaving one's head at the time of release from consecration in the hajj is preferable to doing so for the release in the ʿumrah.

The Prophet tells us that when these rituals have been completed one should 'release oneself from *iḥrām*'. This means that the person concerned is no longer in *iḥrām*, and he may do whatever was restricted during *iḥrām*, such as wearing perfume and ordinary clothes, having intimacy with one's wife, hunting, etc. The Prophet adds: 'Later, they resume their consecration for the hajj and slaughter their sacrifice'. This is the sacrifice for the *tamattuʿ* method, which is a duty under certain conditions. Four of these conditions are agreed upon by all scholars and three are subject to differences. The agreed ones are: 1) To start the *iḥrām* for the ʿumrah in the hajj months; 2) To perform the hajj in the same year; 3) The pilgrim must be from a distant place, not a resident of the Grand Mosque area, which is Makkah, and within a distance that does not allow the shortening of prayers; and 4) That the pilgrim does not go back to the *mīqāt* to start consecration for the hajj. The three conditions on which scholars differ are: 1) To formulate the intention to do the *tamattuʿ* method; 2) That the ʿumrah and the hajj should be in the same year and month; and 3) That both the hajj and the ʿumrah are offered for the same person. The more correct view is that these three are not conditions for the validity of the *tamattuʿ*, but God knows best.

The Prophet adds: 'Anyone who cannot afford a sacrifice must fast three days during the hajj and seven other days when he returns to his family'. 'Cannot find a sacrifice' means cannot find it there for any reason such as its unavailability, or because one cannot afford it, or because it is

being sold at an exorbitant price or because its owner is unwilling to sell it. In any of these situations, the pilgrim is deemed to be ‘unable to find the sacrifice’. In this case, such a pilgrim should do the fasting instead, even if he can afford a sacrifice when he returns home. The fasting is as stated in the Qur’an: three days during the hajj and seven additional days after returning home.

These three days to be fasted during the hajj must be before the Day of Sacrifice. It is permissible to fast on Arafat Day as one of them, but it is preferable that one does not fast these days until one starts consecration for the hajj after finishing the ʿumrah. If one fasts these three days after finishing the ʿumrah and before starting consecration for the hajj, this is acceptable according to the correct view in our school.[iv] If one fasts them after starting the *iḥrām* for the ʿumrah and before finishing it, this fasting is invalid. If one does not fast these three days before the Day of Sacrifice and wants to fast them in the three *Tashrīq* days that follow it, al-Shāfiʿī gives two views. The better-known view in the Shāfiʿī School is that it is not permissible, but the more correct view according to evidence is that it is permissible. This is the detailed view of our Shāfiʿī School. The Mālikī School agrees with us that the three days may not be fasted before completing the ʿumrah, but al-Thawrī and Abu Ḥanīfah say that it is permissible. If one does not fast these three days until the Eid and the *Tashrīq* days have passed, one must fast in compensation, according to our school. Abu Ḥanīfah says that fasting elapses, and one must do the sacrifice, if possible, but God knows best.

Fasting the seven days is obligatory when one returns. Different views are expressed about what constitutes ‘return’. The correct view in our Shāfiʿī School is going back home to one’s own family, as this authentic hadith clearly states. The other view is when one finishes the hajj and returns from Mina to Makkah. Both views are expressed by al-Shāfiʿī and Mālik, while Abu Ḥanīfah takes the second view.

A person who does not fast either the three or the seven days until returning home must fast ten days. Should the three days in this case be separated from the seven days? Some scholars say that they need not be separated. The correct view is that the same separation that occurs when the ten days are correctly fasted is necessary. This means a separation of four

days plus the time of travel from Makkah to one's own home, but God knows best.

'God's Messenger (peace be upon him) performed the *ṭawāf* when he arrived in Makkah, touching the Black Stone first, then jogged for three rounds of the seven and walked in the other four. When he finished his *ṭawāf* at the Kaʿbah, he prayed two *rakʿahs* at Maqām [Ibrāhīm]'. This confirms the *ṭawāf* of arrival and the desirability of jogging in the first three rounds of this *ṭawāf*. It also confirms that a prayer of two *rakʿahs* are offered after the *ṭawāf*, and that they are more desirable to be offered behind Maqām Ibrāhīm. We mentioned all this earlier, and it will be mentioned again at the appropriate place, God willing.

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i. Related by al-Bukhari, 1691; Abu Dāwūd, 1805; al-Nasā'ī, 2731.

ii. Dar al-Salam attaches this hadith to the previous one and does not give it a separate number.

iii. Related by al-Bukhari, 1692.

iv. There is some inconsistency here because a person doing the *tamattuʿ* should start consecration for the hajj on the Day of al-Tarwiyah, 8 Dhul-Ḥijjah. It is stated here that fasting these three days should be before the Day of Sacrifice, which is 10 Dhul-Ḥijjah. There are only two days before this day. Hence, it is appropriate to start fasting these three days after finishing one's ʿumrah and before *iḥrām* for the hajj. It is also valid to fast them in the three *Tashrīq* days that follow the Day of Sacrifice.

CHAPTER 25

THE SAME TIME OF RELEASE FOR *QIRĀN* AND *IFRĀD*

[2601–176]. (Dar al-Salam 2833) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that Ḥafṣah, the Prophet's wife, said: **'Messenger of God, how come people have released themselves while you have not released yourself from consecration for your ʿumrah?' He said: 'I have fixed my hair and marked my sacrifice. Therefore, I cannot release myself [from *iḥrām*] until I have slaughtered [my sacrifice]'.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، أَنَّ حَفْصَةَ، رَضِيَ اللهُ عَنْهُم، زَوْجَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَتْ: يَا رَسُولَ اللهِ، مَا شَأْنُ النَّاسِ حَلُّوا وَلَمْ تَحْلِلْ أَنْتَ مِنْ عُمْرَتِكَ؟ قَالَ: «إِنِّي لَبَّدْتُ رَأْسِي، وَقَلَّدْتُ هَدْيِي، فَلاَ أَحِلُّ حَتَّى أَنْحَرَ».

[2602–000]. (Dar al-Salam 2834) Ibn Numayr narrated: Khālid ibn Makhlad narrated; from Mālik; from Nāfiʿ; from Ibn ʿUmar; from Ḥafṣah. She said: **'I said: "Messenger of God, why have you not released yourself [from consecration]?..."' a similar text.**

وَحَدَّثَنَاهُ ابْنُ نُمَيْرٍ، حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ، عَنْ مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ حَفْصَةَ، رَضِيَ اللهُ عَنْهُم، قَالَتْ: قُلْتُ يَا رَسُولَ اللهِ، مَا لَكَ لَمْ تَحِلَّ؟... بِنَحْوِهِ.

[2603–177]. (Dar al-Salam 2835) Muhammad ibn al-Muthannā narrated: Yaḥyā ibn Saʿīd narrated; from ʿUbaydullāh; he said: Nāfiʿ reported to me; from Ibn ʿUmar; from Ḥafṣah. She said: **‘I said to the Prophet (peace be upon him): “How come people have released themselves while you have not released yourself from consecration for your ʿumrah?” He said: “I have marked my sacrifice and fixed my hair. Therefore, I cannot release myself [from *iḥrām*] until I release myself from consecration for the hajj”.’**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ عُبَيْدِ اللهِ، قَالَ أَخْبَرَنِي نَافِعٌ، عَنِ ابْنِ عُمَرَ، عَنْ حَفْصَةَ، رَضِيَ اللهُ عَنْهُم، قَالَتْ: قُلْتُ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مَا شَأْنُ النَّاسِ حَلُّوا وَلَمْ تَحِلَّ مِنْ عُمْرَتِكَ؟ قَالَ: «إِنِّي قَلَّدْتُ هَدْيِي، وَلَبَّدْتُ رَأْسِي، فَلاَ أَحِلُّ حَتَّى أَحِلَّ مِنَ الْحَجِّ».

[2604–178]. (Dar al-Salam 2836) Abu Bakr ibn Abi Shaybah narrated: Abu Usāmah narrated; ʿUbaydullāh narrated; from Nāfiʿ; from Ibn ʿUmar; that Ḥafṣah said: **‘Messenger of God…’ the same as Mālik’s narration: ‘I cannot release myself from *iḥrām* until I have slaughtered my sacrifice’.**

وَحَدّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، حَدّثَنَا ابُو اسَامَةَ، حَدّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ حَفْصَةَ، رَضِيَ اللهُ عَنْهَا، قَالَتْ: يَا رَسُولَ اللهِ... بِمِثْلِ حَدِيثِ مَالِكٍ: «فَلاَ أَحِلُّ حَتَّى أَنْحَرَ».

[2605–179]. (Dar al-Salam 2837) Ibn Abi ʿUmar narrated: Hishām ibn Sulaymān al-Makhzūmī and ʿAbd al-Majīd narrated; from Ibn Jurayj; from Nāfiʿ; from Ibn ʿUmar. He said: **‘Ḥafṣah told me that the Prophet (peace be upon him) instructed his wives to release themselves from consecration at the time of the Farewell Pilgrimage. Ḥafṣah said: “I said [to him]: ‘What prevents you from releasing yourself?’ He said: ‘I have fixed my hair and marked my sacrifice. Therefore, I cannot release myself from *iḥrām* until I have slaughtered my sacrifice’.”’**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا هِشَامُ بْنُ سُلَيْمَانَ الْـمَخْزُومِيُّ، وَعَبْدُ الْـمَجِيدِ، عَنِ ابْنِ جُرَيْجٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: حَدَّثَتْنِي حَفْصَةُ، رَضِيَ اللهُ عَنْهَا، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَ أَزْوَاجَهُ أَنْ يَحْلِلْنَ عَامَ حَجَّةِ الْوَدَاعِ. قَالَتْ حَفْصَةُ: فَقُلْتُ مَا يَمْنَعُكَ أَنْ تَحِلَّ؟ قَالَ: «إِنِّي لَبَّدْتُ رَأْسِي، وَقَلَّدْتُ هَدْيِي، فَلاَ أَحِلُّ حَتَّى أَنْحَرَ هَدْيِي».

Text Explanation

This hadith in its different versions confirms the correct view which we clearly stated in the previous chapters that the Prophet (peace be upon him) did his Farewell Pilgrimage in the *qirān* method. Therefore, when Hafsah refers to 'your ʿumrah', she means the ʿumrah added to your hajj. The hadiths further show that a pilgrim doing the *qirān* does not release himself from consecration after his *ṭawāf* at the Kaʿbah and *saʿi*. He remains in consecration until he has completed his attendance at Arafat, stoned at the ʿAqabah Jamrah, shaved his head and completed the *ṭawāf al-ifāḍah*, just as a pilgrim doing the *ifrād* method.

Those who claim that the Prophet followed the *ifrād* method give some interpretations for this similarly reported hadith, but these are unsound. Some suggest that Hafsah said the ʿumrah but meant the hajj because both are journeys for an intended purpose. Another suggestion is that she meant *iḥrām*, and a third suggestion is that she thought that he performed the ʿumrah. A further suggestion says that Hafsah's words: 'from your ʿumrah' means by changing your hajj to an ʿumrah as others have done. All these suggestions are unsound and lack support. The correct view is as we have already stated.

The Prophet said: 'I have fixed my hair and marked my sacrifice'. This shows that both actions are desirable, and they are sunnah according to the agreed view of scholars. Again, all this has been mentioned earlier.

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i. Related by al-Bukhari, 1566, 1697, 1725, and in similar wording 4398, 5916; Abu Dāwūd, 1806; al-Nasā'ī, 2780, 2781; Ibn Mājah, 3046.

CHAPTER 26

RELEASE IN CASE OF INABILITY TO CONTINUE

[2606–180]. (Dar al-Salam 2838) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Nāfiʿ; that **ʻʻAbdullāh ibn ʿUmar set out to do the ʿumrah during a time of strife. He said: "If I am prevented from reaching the House, we shall do as we did when we were with God's Messenger (peace be upon him)". He set out declaring consecration for the ʿumrah. He travelled until he was in the desert. He then turned to his company and said: "They are both the same. Be my witnesses that I have added the hajj along with the ʿumrah". He travelled, and when he arrived at the Kaʿbah, he did the *ṭawāf* seven times, and in between al-Ṣafa and al-Marwah seven times. He did not add to this and considered that it was sufficient for him. He gave a sacrifice'.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ عَنْ نَافِعٍ، أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، خَرَجَ فِي الْفِتْنَةِ مُعْتَمِرًا، وَقَالَ: إِنْ صُدِدْتُ عَنِ الْبَيْتِ صَنَعْنَا كَمَا صَنَعْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَخَرَجَ فَأَهَلَّ بِعُمْرَةٍ، وَسَارَ حَتَّى إِذَا ظَهَرَ عَلَى الْبَيْدَاءِ، الْتَفَتَ إِلَى أَصْحَابِهِ فَقَالَ: مَا أَمْرُهُمَا إِلاَّ وَاحِدٌ. أُشْهِدُكُمْ أَنِّي قَدْ

اوْجَبْتُ الحَجّ مَعَ العُمْرَةِ. فَخَرَجَ حَتّى إِذَا جَاءَ البَيْتَ طَافَ بِهِ سَبْعًا، وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ سَبْعًا، لَمْ يَزِدْ عَلَيْهِ. وَرَأَى أَنَّهُ مُجْزِئٌ عَنْهُ وَأَهْدَى.

[2607–181]. (Dar al-Salam 2839) Muhammad ibn al-Muthannā narrated:[ii] Yaḥyā (who is al-Qaṭṭān) narrated; from ʿUbaydullāh; Nāfiʿ narrated to me; that **‘ʿAbdullāh ibn ʿAbdullāh and Sālim ibn ʿAbdullāh talked to ʿAbdullāh when al-Ḥajjāj sought to fight Ibn al-Zubayr. They said to him: “You need not perform the hajj this year. We fear that there may be fighting between those people, and you may not be able to reach the House”. He said: “If I cannot reach it, I will do as God’s Messenger (peace be upon him) did when I was with him and when the unbelievers of the Quraysh prevented him access to the House. Be my witnesses, I am setting out for an ʿumrah”. He moved on until he reached Dhul-Ḥulayfah where he declared his *iḥrām* for the ʿumrah. He then said: “If I have free access, I will perform my ʿumrah, and if I am prevented, I shall do as God’s Messenger (peace be upon him) did when I was with him”. He then recited the verse: “In God’s Messenger you have a good model for everyone who looks with hope to God and the Last Day”. (33: 21) He travelled until he was in the desert. He then said: “They are both the same. If I am prevented access for the ʿumrah, I will be prevented access for the hajj. Be my witnesses that I have added the hajj along with the ʿumrah”. He travelled, and he bought his sacrifice at Qudayd. He then performed one *ṭawāf* at the Kaʿbah, and [one *saʿī*] in between al-Ṣafa and al-Marwah. He did not release himself from consecration for either until he released himself from both during the hajj, on the Day of Sacrifice’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الـمُثَنّى، حَدَّثَنَا يَحْيَى (وَهُوَ القَطانُ)، عَنْ عُبَيْدِ اللهِ، حَدَّثَنِي نَافِعٌ، أَنَّ عَبْدَ اللهِ بْنَ عَبْدِ اللهِ، وَسَالِمَ بْنَ عَبْدِ اللهِ كَلَّمَا عَبْدَ اللهِ حِينَ نَزَلَ الْحَجَّاجُ لِقِتَالِ ابْنِ الزُّبَيْرِ. قَالا: لا يَضُرُّكَ أَنْ لا تَحُجَّ الْعَامَ، فَإِنَّا نَخْشَى أَنْ يَكُونَ بَيْنَ النَّاسِ قِتَالٌ، يُحَالُ بَيْنَكَ وَبَيْنَ الْبَيْتِ. قَالَ: فَإِنْ حِيلَ بَيْنِي وَبَيْنَهُ فَعَلْتُ كَمَا فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا مَعَهُ، حِينَ حَالَتْ كُفَّارُ قُرَيْشٍ بَيْنَهُ وَبَيْنَ الْبَيْتِ. أُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ عُمْرَةً. فَانْطَلَقَ حَتَّى أَتَى ذَا الْحُلَيْفَةِ، فَلَبَّى بِالْعُمْرَةِ. ثُمَّ قَالَ: إِنْ خُلِّيَ سَبِيلِي قَضَيْتُ عُمْرَتِي، وَإِنْ حِيلَ بَيْنِي وَبَيْنَهُ فَعَلْتُ كَمَا فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَنَا مَعَهُ. ثُمَّ تَلا: «لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللهِ أُسْوَةٌ حَسَنَةٌ». ثُمَّ سَارَ حَتَّى إِذَا كَانَ بِظَهْرِ الْبَيْدَاءِ قَالَ: مَا أَمْرُهُمَا إِلاَّ وَاحِدٌ، إِنْ حِيلَ بَيْنِي وَبَيْنَ الْعُمْرَةِ حِيلَ بَيْنِي وَبَيْنَ الْحَجِّ. أُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ حَجَّةً مَعَ عُمْرَةٍ. فَانْطَلَقَ حَتَّى ابْتَاعَ بِقُدَيْدٍ هَدْيًا، ثُمَّ طَافَ لَهُمَا طَوَافًا وَاحِدًا بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ، ثُمَّ لَمْ يَحِلَّ مِنْهُمَا حَتَّى حَلَّ مِنْهُمَا بِحَجَّةٍ يَوْمَ النَّحْرِ.

[2608–000]. (Dar al-Salam 2840) Ibn Numayr narrated: my father narrated; ʿUbaydullāh narrated; from Nāfiʿ. He said: **‘Ibn ʿUmar wanted to perform the hajj when al-Ḥajjāj confronted Ibn al-Zubayr…’**. **He narrated the hadith in similar terms and said at the end of the hadith that Ibn ʿUmar used to say: ‘Whoever combines the hajj and the ʿumrah one *ṭawāf* will be sufficient for him, but he does not release himself from *iḥrām* until he can release himself from *iḥrām* for both [duties]’.**

وَحَدَّثَنَاهُ ابْنُ نُمَيْرٍ، حَدَّثَنَا ابِي، حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، قَالَ: أَرَادَ ابْنُ عُمَرَ الْحَجَّ حِينَ نَزَلَ الْحَجَّاجُ بِابْنِ الزُّبَيْرِ... وَاقْتَصَّ الْحَدِيثَ بِمِثْلِ هَذِهِ الْقِصَّةِ. وَقَالَ فِي آخِرِ الْحَدِيثِ: وَكَانَ يَقُولُ مَنْ جَمَعَ بَيْنَ الْحَجِّ وَالْعُمْرَةِ كَفَاهُ طَوَافٌ وَاحِدٌ، وَلَمْ يَحِلَّ حَتَّى يَحِلَّ مِنْهُمَا جَمِيعًا.

[2609–182]. (Dar al-Salam 2841) Muhammad ibn Rumḥ narrated:[iii] al-Layth reported [H]. Also, Qutaybah narrated (his text); Layth narrated; from Nāfiʿ; that **‘Ibn ʿUmar wanted to perform the hajj in the year al-Ḥajjāj confronted Ibn al-Zubayr. He was told that there may be fighting between these hosts and that they may stop him. He said: “In God’s Messenger you have a good model to follow. I will do as God’s Messenger (peace be upon him) did. Be my witnesses that I am setting out for ʿumrah. He travelled until he was in the desert. He then said: “The hajj and the ʿumrah are both the same. Be witness (Ibn Rumḥ said: Be my witnesses) that I have added the hajj along with the ʿumrah”. He bought his sacrifice at Qudayd then travelled saying the *talbiyah* for both duties. When he arrived in Makkah, he performed the *ṭawāf* at the Kaʿbah, and [the *saʿī*] in between al-Ṣafa and al-Marwah. He did not add anything, neither making a sacrifice, nor shaving, nor cutting his hair. He did not release himself from any restrictions of consecration until the Day of Sacrifice when he slaughtered his sacrifice and shaved his head. He considered that his first *ṭawāf* was sufficient for both the hajj and the ʿumrah. Ibn ʿUmar said: “Thus did God’s Messenger (peace be upon him)”.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، اخْبَرَنَا اللَّيْثُ، ح. وَحَدَّثَنَا قُتَيْبَةُ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا لَيْثٌ، عَنْ نَافِعٍ، أَنَّ ابْنَ عُمَرَ، أَرَادَ الْحَجَّ عَامَ نَزَلَ الْحَجَّاجُ بِابْنِ الزُّبَيْرِ. فَقِيلَ لَهُ إِنَّ النَّاسَ كَائِنٌ بَيْنَهُمْ قِتَالٌ، وَإِنَّا نَخَافُ أَنْ يَصُدُّوكَ. فَقَالَ: لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللهِ أُسْوَةٌ حَسَنَةٌ. أَصْنَعُ كَمَا صَنَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. إِنِّي أُشْهِدُكُمْ أَنِّي قَدْ أَوْجَبْتُ عُمْرَةً. ثُمَّ خَرَجَ حَتَّى كَانَ بِظَاهِرِ الْبَيْدَاءِ، قَالَ مَا شَأْنُ الْحَجِّ وَالْعُمْرَةِ إِلاَّ وَاحِدٌ. اشْهَدُوا - قَالَ ابْنُ رُمْحٍ: أُشْهِدُكُمْ - أَنِّي قَدْ أَوْجَبْتُ حَجًّا مَعَ عُمْرَتِي. وَأَهْدَى هَدْيًا اشْتَرَاهُ بِقُدَيْدٍ. ثُمَّ انْطَلَقَ يُهِلُّ بِهِمَا جَمِيعًا، حَتَّى قَدِمَ مَكَّةَ فَطَافَ بِالْبَيْتِ وَبِالصَّفَا وَالْمَرْوَةِ، وَلَمْ يَزِدْ عَلَى ذَلِكَ، وَلَمْ يَنْحَرْ وَلَمْ يَحْلِقْ، وَلَمْ يُقَصِّرْ. وَلَمْ يَحْلِلْ مِنْ شَيْءٍ حَرُمَ مِنْهُ حَتَّى كَانَ يَوْمُ النَّحْرِ، فَنَحَرَ وَحَلَقَ. وَرَأَى أَنْ قَدْ قَضَى طَوَافَ الْحَجِّ وَالْعُمْرَةِ بِطَوَافِهِ الأَوَّلِ. وَقَالَ ابْنُ عُمَرَ: كَذَلِكَ فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2610–183]. (Dar al-Salam 2842) Abu al-Rabīʿ al-Zahrānī and Abu Kāmil narrated:[iv] both said: Ḥammād narrated [H]. Also, Zuhayr ibn Ḥarb narrated to me; Ismāʿīl narrated to me; both from Ayyūb; from Nāfiʿ; from Ibn ʿUmar: **the same text**. **He did not mention the Prophet except at the beginning of the hadith, when he was told: ‘They may stop you’. He said: ‘I will then do as God’s Messenger (peace be upon him) did’. He did not mention at the end ‘Thus did God’s Messenger (peace be upon him)’, as al-Layth mentioned it.**

حَدّثَنَا ابُو الرَّبِيعِ الزّهْرَانِيَّ، وَابُو كَامِلٍ قَالا: حَدّثَنَا حَمَّادٌ، ح. وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنِي إِسْمَاعِيلُ، كِلاَهُمَا عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، بِهَذِهِ الْقِصَّةِ. وَلَمْ يَذْكُرِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلاَّ فِي أَوَّلِ الْحَدِيثِ، حِينَ قِيلَ لَهُ يَصُدُّوكَ عَنِ الْبَيْتِ. قَالَ إِذًا أَفْعَلَ كَمَا فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. وَلَمْ يَذْكُرْ فِي آخِرِ الْحَدِيثِ: هَكَذَا فَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، كَمَا ذَكَرَهُ اللَّيْثُ.

Text Explanation

The first hadith, No. 2606 says: ‘ʿAbdullāh ibn ʿUmar set out to do the ʿumrah during a time of strife. He said: “If I am prevented from reaching the House, we shall do as we did when we were with God’s Messenger (peace be upon him)”. He set out declaring consecration for the ʿumrah. He travelled until he was in the desert. He then turned to his company and said: “They are both the same. Be my witnesses that I have added the hajj along with the ʿumrah”. He travelled, and when he arrived at the Kaʿbah, he did the *ṭawāf* seven times, and in between al-Ṣafa and al-Marwah seven times. He did not add to this and considered that it was sufficient for him. He gave a sacrifice’. This hadith makes it clear that the *qirān* method is perfectly acceptable and that it is also permissible to add the hajj to one’s ʿumrah before having done its *ṭawāf*. This is the view of our school and the view of the great majority of scholars. This question has been discussed and explained earlier. The hadith further makes it clear that it is permissible to release oneself from *iḥrām* if one is prevented from continuing one’s journey.

Ibn ʿUmar said to those who were travelling with him: ‘Be my witnesses’. He said this so that anyone who wished to do like him would know what he was doing. He declared it to them, rather than limited himself to the formulation of the relevant intention, although that would have been enough for the validity of his consecration. He said: ‘Both are the same’. He meant that they have the same ruling of permissibility of release from consecration in the case of being prevented access to the Kaʿbah. The hadith shows that analogy is valid, and it serves as evidence for the validity of action, and that the Prophet’s Companions used analogy. In this case, Ibn ʿUmar compared the hajj to the ʿumrah because the Prophet released himself from consecration for the ʿumrah alone at the time of al-Ḥudaybiyah. Moreover, the hadith makes it clear that in the *qirān* method, one *ṭawāf* and one *saʿī* are sufficient. This is the view of our Shāfiʿī School and the majority of scholars, but Abu Ḥanīfah and a number of scholars take a different view. This question has already been explained.

In this hadith, Ibn ʿUmar says: ‘If I am prevented from reaching the House, we shall do as we did when we were with God’s Messenger (peace

be upon him). He set out declaring consecration for the ʿumrah'. The correct view is that he meant: if I am denied access to the Kaʿbah, I will release myself from *iḥrām* as we did with the Prophet at the time of al-Ḥudaybiyah. *Qadi* ʿIyāḍ said: 'It is possible that he meant he would declare for the ʿumrah as the Prophet did in the year he was denied access. But he might have meant both, which is more obvious'. In fact, it is not obvious as he claimed. The correct explanation that is indicated by the apparent meaning of his words is what we said earlier, but God knows best.

Hadith No. 2607 concludes with 'until he released himself from both during the hajj, on the Day of Sacrifice'. This means that he released himself from consecration for both the hajj and the ʿumrah after doing the actions required for the hajj on its own.

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i. Related by al-Bukhari, 1806 and in a shorter version, 4183.
ii. Related by al-Bukhari in a shorter version, 4184.
iii. Related by al-Bukhari, 1640; al-Nasā'ī, 2745.
iv. Related by al-Bukhari, 1639, 1693.

CHAPTER 27

DOING THE HAJJ SEPARATELY OR TOGETHER WITH THE ʿUMRAH

[2611–184]. (Dar al-Salam 2843) Yaḥyā ibn Ayyūb and ʿAbdullāh ibn ʿAwn al-Hilālī narrated: both said: ʿAbbād ibn ʿAbbād al-Muhallabī narrated; ʿUbaydullāh ibn ʿUmar narrated; from Nāfiʿ; from Ibn ʿUmar (in Yaḥyā's narration). He said: **'We started our *iḥrām* with God's Messenger (peace be upon him) declaring for the hajj only'.**

And in Ibn ʿAwn's narration: **'That God's Messenger (peace be upon him) started *iḥrām* declaring for the hajj only'.**

حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ، وَعَبْدُ اللهِ بْنُ عَوْنٍ الْهِلاَلِيُّ، قَالا: حَدَّثَنَا عَبَّادُ بْنُ عَبَّادٍ الْـمُهَلَّبِيُّ، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ: فِي رِوَايَةِ يَحْيَى قَالَ: أَهْلَلْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ مُفْرَدًا۔

وَفِي رِوَايَةِ ابْنِ عَوْنٍ: أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَهَلَّ بِالْحَجِّ مُفْرَدًا.

[2612–185]. (Dar al-Salam 2844) Surayj ibn Yūnus narrated:[i] Hushaym narrated; Ḥumayd narrated; from Bakr; from Anas. He

said: **‘I heard the Prophet (peace be upon him) saying the *tabliyah* for both the hajj and the ʿumrah together’.**

Bakr said: **‘I mentioned this to Ibn ʿUmar, and he said: “He said the *talbiyah* for the hajj on its own”. I then met Anas and told him what Ibn ʿUmar said. Anas said: “You consider us as mere children. I heard God’s Messenger (peace be upon him) say: ‘*Labbayk ʿumratan wa ḥajjā*’.”’**

وَحَدَّثَنَا سُرَيْجُ بْنُ يُونُسَ، حَدَّثَنَا هُشَيْمٌ، حَدَّثَنَا حُمَيْدٌ، عَنْ بَكْرٍ، عَنْ أَنَسٍ، رَضِيَ اللهُ عَنْهُ، قَالَ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُلَبِّي بِالْحَجِّ وَالْعُمْرَةِ جَمِيعًا.

قَالَ بَكْرٌ فَحَدَّثْتُ بِذَلِكَ ابْنَ عُمَرَ، فَقَالَ لَبَّى بِالْحَجِّ وَحْدَهُ. فَلَقِيتُ أَنَسًا، فَحَدَّثْتُهُ بِقَوْلِ ابْنِ عُمَرَ، فَقَالَ أَنَسٌ: مَا تَعُدُّونَنَا إِلاَّ صِبْيَانًا! سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «لَبَّيْكَ عُمْرَةً وَحَجًّا».

[2613–186]. (Dar al-Salam 2845) Umayyah ibn Bisṭām al-ʿAyshī narrated to me: Yazīd (meaning Ibn Zurayʿ) narrated; Ḥabīb ibn al-Shahīd narrated; from Bakr ibn ʿAbdullāh; that **‘Anas narrated that he saw the Prophet (peace be upon him) combining both, i.e., the hajj and the ʿumrah. I asked Ibn ʿUmar and he said: “We declared consecration for the hajj”. I went back to Anas and told him what Ibn ʿUmar said. He said: “As if we are children”.’**

وَحَدَّثَنِي أُمَيَّةُ بْنُ بِسْطَامَ الْعَيْشِيُّ، حَدَّثَنَا يَزِيدُ (يَعْنِي ابْنَ زُرَيْعٍ)، حَدَّثَنَا حَبِيبُ، بْنُ الشَّهِيدِ، عَنْ بَكْرِ بْنِ عَبْدِ اللهِ،

حَدّثَنَا انَسٌ، رضى الله عنه، انّهُ رَاى النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلّمَ جَمَعَ بَيْنَهُمَا: بَيْنَ الْحَجِّ وَالْعُمْرَةِ. قَالَ: فَسَأَلْتُ ابْنَ عُمَرَ، فَقَالَ: أَهْلَلْنَا بِالْحَجِّ. فَرَجَعْتُ إِلَى أَنَسٍ فَأَخْبَرْتُهُ مَا قَالَ ابْنُ عُمَرَ، فَقَالَ: كَأَنَّمَا كُنَّا صِبْيَانًا.

Text Explanation

Hadith No. 2611 quotes Ibn ʿUmar: ‘We started our *iḥrām* with God’s Messenger (peace be upon him) declaring for the hajj only’. Another version states ‘That God’s Messenger (peace be upon him) started *iḥrām* declaring for the hajj only’. This is consistent with the previous hadiths narrated by Jābir, ʿĀ’ishah, Ibn ʿAbbās and others, that the Prophet started his consecration with the intention to do the hajj only. This hadith also shows that the hadith mentioned a short while ago, in which Ibn ʿUmar mentions the *qirān,* is taken in a particular meaning which has been explained.

Hadith No. 2612 quotes Anas: ‘I heard God’s Messenger (peace be upon him) say: “*Labbayk ʿumratan wa ḥajjā*”.’ This means: ‘I respond to You doing both the ʿumrah and the hajj’. This is cited as evidence in support of the view that the Prophet did the *qirān* method. We stated earlier that the correct view concerning the Prophet’s hajj is that he started in the *ifrād* method, then added the ʿumrah to his hajj, and thus he transferred to the *qirān* method. We reconciled the relevant hadiths in the best way. The hadith narrated by Ibn ʿUmar in this chapter is understood to refer to how the Prophet began his *iḥrām*. Anas’ hadith is understood to refer to the middle and later parts of the Prophet’s hajj. It appears that he did not hear what the Prophet said at the beginning. This explanation is necessary so that Anas’ report becomes consistent with the reports of the majority, as earlier explained, but God knows best.

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i. Related by al-Bukhari in similar wording, 4353, 4354; al-Nasā’ī, 2730

CHAPTER 28

A PILGRIM'S DUTIES ON ARRIVING IN MAKKAH

[2614–187]. (Dar al-Salam 2846) Yaḥyā ibn Yaḥyā narrated: ʿAbthar reported; from Ismāʿīl ibn Abi Khālid; from Wabarah. He said: **'I was sitting at Ibn ʿUmar's when a man came and asked: "May I do the *ṭawāf* at the Kaʿbah before I attend Arafat?" Ibn ʿUmar said: "Yes". He said: "But Ibn ʿAbbās said: 'Do not perform the *ṭawāf* at the Kaʿbah until you have attended at Arafat'." Ibn ʿUmar said: "God's Messenger (peace be upon him) performed the hajj and he did the *ṭawāf* at the Kaʿbah before going to Arafat. Should you take what God's Messenger said or what Ibn ʿAbbās said, if you are saying the truth?"'**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا عَبْثَرٌ، عَنْ إِسْمَاعِيلَ بْنِ أَبِي خَالِدٍ، عَنْ وَبَرَةَ، قَالَ: كُنْتُ جَالِسًا عِنْدَ ابْنِ عُمَرَ، فَجَاءَهُ رَجُلٌ فَقَالَ: أَيَصْلُحُ لِي أَنْ أَطُوفَ بِالْبَيْتِ قَبْلَ أَنْ آتِيَ الْـمَوْقِفَ؟ فَقَالَ نَعَمْ. فَقَالَ فَإِنَّ ابْنَ عَبَّاسٍ يَقُولُ: لاَ تَطُفْ بِالْبَيْتِ حَتَّى تَأْتِيَ الْـمَوْقِفَ. فَقَالَ ابْنُ عُمَرَ: فَقَدْ حَجَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَطَافَ بِالْبَيْتِ قَبْلَ أَنْ يَأْتِيَ الْـمَوْقِفَ. فَبِقَوْلِ رَسُولِ اللهِ صَلَّى اللهُ

عَلَيْهِ وَسَلمَ احَقّ انْ تَاخُذَ، اوْ بِقَوْلِ ابْنِ عَبّاسٍ، إِنْ كُنْتَ صَادِقًا؟

[2615–188]. (Dar al-Salam 2847) Qutaybah ibn Saʿīd narrated: Jarīr narrated; from Bayān; from Wabarah. He said: **‘A man asked Ibn ʿUmar: “May I do the *ṭawāf* at the Kaʿbah as I have started *iḥrām* for the hajj?” Ibn ʿUmar said: “What stops you?” He said: “I saw Ibn so-and-so disapproving of it, and we like you better than him. We saw him tempted by worldly matters”. He said: “Who of us (or who of you) has not been tempted by worldly matters?” He then added: “We saw God’s Messenger (peace be upon him) declaring *iḥrām* for the hajj, then he performed the *ṭawāf* at the Kaʿbah and the *saʿī* between al-Ṣafa and al-Marwah. The way of God and His Messenger is the one to follow, rather than the way of so-and-so, if you are saying the truth”.’**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا جَرِيرٌ، عَنْ بَيَانٍ، عَنْ وَبَرَةَ، قَالَ: سَأَلَ رَجُلٌ ابْنَ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، أَطُوفُ بِالْبَيْتِ وَقَدْ أَحْرَمْتُ بِالْحَجِّ؟ فَقَالَ: وَمَا يَمْنَعُكَ؟ قَالَ: إِنِّي رَأَيْتُ ابْنَ فُلاَنٍ يَكْرَهُهُ، وَأَنْتَ أَحَبُّ إِلَيْنَا مِنْهُ. رَأَيْنَاهُ قَدْ فَتَنَتْهُ الدُّنْيَا. فَقَالَ وَأَيُّنَا - أَوْ أَيُّكُمْ - لَمْ تَفْتِنْهُ الدُّنْيَا؟ ثُمَّ قَالَ: رَأَيْنَا رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَحْرَمَ بِالْحَجِّ، وَطَافَ بِالْبَيْتِ وَسَعَى بَيْنَ الصَّفَا وَالْمَرْوَةِ. فَسُنَّةُ اللهِ وَسُنَّةُ رَسُولِهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَحَقُّ أَنْ تَتَّبِعَ مِنْ سُنَّةِ فُلاَنٍ، إِنْ كُنْتَ صَادِقًا.

[2616–189]. (Dar al-Salam 2848-2849) Zuhayr ibn Ḥarb narrated to me: Sufyān ibn ʿUyaynah narrated; from ʿAmr ibn Dīnār. He said: **‘We asked Ibn ʿUmar about a man who arrives in Makkah for ʿumrah. He performs the *ṭawāf* at the Kaʿbah, but not the *saʿī* between al-Ṣafa and al-Marwah - may he have sex with his wife? He said: “God’s Messenger (peace be upon him) arrived and performed the *ṭawāf* at the Kaʿbah seven rounds, prayed two *rakʿahs* behind Maqām [Ibrāhīm] and did the *saʿī* between al-Ṣafa and al-Marwah seven rounds. In God’s Messenger you have a good model to follow”.’**

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، قَالَ: سَأَلْنَا ابْنَ عُمَرَ عَنْ رَجُلٍ قَدِمَ بِعُمْرَةٍ، فَطَافَ بِالْبَيْتِ، وَلَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ: أَيَأْتِي امْرَأَتَهُ؟ فَقَالَ: قَدِمَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَطَافَ بِالْبَيْتِ سَبْعًا، وَصَلَّى خَلْفَ الْـمَقَامِ رَكْعَتَيْنِ، وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ سَبْعًا. وَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللهِ أُسْوَةٌ حَسَنَةٌ.

Yaḥyā ibn Yaḥyā and Abu al-Rabīʿ al-Zahrānī narrated: from Ḥammād ibn Zayd [H]. Also, ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr reported; Ibn Jurayj reported; all from ʿAmr ibn Dīnār; from Ibn ʿUmar’ from the Prophet: **a similar text to Ibn ʿUyaynah’s narration.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو الرَّبِيعِ الزَّهْرَانِيُّ، عَنْ حَمَّادِ بْنِ زَيْدٍ، ح. وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، جَمِيعًا عَنْ عَمْرِو بْنِ دِينَارٍ، عَنِ ابْنِ

عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، عَنِ النّبِيِّ صَلى اللهُ عَلَيْهِ وَسَلَّمَ: نَحْوَ حَدِيثِ ابْنِ عُيَيْنَةَ.

Text Explanation

In hadith No. 2614 Ibn ʿUmar answers his questioner as follows: ‘God’s Messenger (peace be upon him) performed the hajj and he did the *ṭawāf* at the Kaʿbah before going to Arafat. Should you take what God’s Messenger said or what Ibn ʿAbbās said, if you are saying the truth?’ Ibn ʿUmar’s answer confirms that a pilgrim does the *ṭawāf* of arrival, which is proper to do before attendance at Arafat. What Ibn ʿUmar said is agreed upon by all scholars except Ibn ʿAbbās. All of them say that the *ṭawāf* of arrival is a sunnah, i.e., recommended, not a duty, except some of our scholars who say that it is a duty which, if omitted, should be compensated for by sacrificing a sheep. The widely held view is that it is a sunnah, not a duty, and its omission need not be compensated for. If a pilgrim attends Arafat before doing the *ṭawāf* of arrival, this *ṭawāf* has lapsed. If such a pilgrim performs a *ṭawāf* after attending Arafat, it does not count for the arrival. It counts as the *ṭawāf al-ifāḍah* if he has not done that one. If he has done the *ṭawāf al-ifāḍah* already, this second *ṭawāf* counts as a voluntary one, not as the *ṭawāf* of arrival. The ʿumrah does not have a *ṭawāf* of arrival. The *ṭawāf* that occurs at the beginning of the ʿumrah is its essential obligatory one, even though a person may intend it as a *ṭawāf* of arrival. In this case, his intention is overruled. This is the same as someone who owes an obligatory hajj and he decides to perform a voluntary hajj, his hajj is counted as the obligatory one and his intention is overruled, but God knows best.

Ibn ʿUmar says to his interlocutor: ‘If you are saying the truth’. This means if you are sincere in your faith and you are indeed a Muslim who wants to follow God’s Messenger (peace be upon him). In this case, you must not abandon his practice in favour of what may be said by Ibn ʿAbbās or anyone else, but God knows best.

The man said: ‘We saw him tempted by worldly matters’. This is a reference to the fact that he was appointed as governor of Basrah. Any such post may present much temptation. On the other hand, Ibn ʿUmar never held a position of authority. Ibn ʿUmar’s response, ‘who of us has not been tempted by worldly matters’, shows his fairness and humility.

In hadith No. 2616 Ibn ʿUmar is asked whether a person doing the ʿumrah may have intercourse with his wife after his *ṭawāf* at the Kaʿbah. He answers: ‘God’s Messenger (peace be upon him) arrived and performed the *ṭawāf* at the Kaʿbah seven rounds, prayed two *rakʿahs* behind Maqām [Ibrāhīm] and did the *saʿī* between al-Ṣafa and al-Marwah seven rounds. In God’s Messenger you have a good model to follow’. This means that it is unlawful for him to have sex with his wife because the Prophet did not release himself from *iḥrām* until he had completed his *ṭawāf* and *saʿī*. Muslims must follow the Prophet’s lead and do as he did. This ruling by Ibn ʿUmar is the view of all scholars: a person doing the ʿumrah is not released from consecration until he has completed his *ṭawāf* and *saʿī* and shortened his hair or shaved his head. The only exception is that *Qadi* ʿIyāḍ reports that Ibn ʿAbbās and Isḥāq ibn Rāhawayh said that he is released from *iḥrām* after his *ṭawāf*, even though he has not done the *saʿi*. This is unsound and contrary to the sunnah.

CHAPTER 29

STAYING IN *IḤRĀM* AFTER *ṬAWĀF*

[2617–190]. (Dar al-Salam 2850) Ḥārūn ibn Saʿīd al-Aylī narrated; Ibn Wahb narrated; ʿAmr (who is Ibn al-Ḥārith) reported to me; from Muhammad ibn ʿAbd al-Raḥmān; that a man from Iraq said to him: **‘Ask ʿUrwah ibn al-Zubayr on my behalf about a man who comes declaring for the hajj – may he release himself from *iḥrām* when he has completed his *ṭawāf* at the Kaʿbah? If he tells you that he cannot, say to him that a man says he may’. I asked him [i.e., ʿUrwah] and he answered: “A person who declares his intention for the hajj may not release himself from *iḥrām* until he completes the hajj [duties]”. I said: “Someone was saying that”. He said: “What he said is very wrong”. The man was looking for me. He questioned me and I told him [what ʿUrwah said]. He said: “Then tell him that a man used to report that God’s Messenger (peace be upon him) did that. Besides, how come Asmā’ and al-Zubayr did it?” I went to him and mentioned to him what the man said. He asked: “Who is he?” I said I did not know. He said: “What is wrong with him that he does not come and ask me himself? I think he is from Iraq”. I said I did not know.**

ʿUrwah said: “He certainly lies. God’s Messenger (peace be upon him) performed the pilgrimage. ʿĀ’ishah told me that the first thing he did on arrival in Makkah was that he performed wudu then did the *ṭawāf* at the Kaʿbah. Abu Bakr then

performed the hajj and the first thing he did was the *ṭawāf* at the Kaʿbah, then there was nothing else. Then ʿUmar did the same. Then ʿUthmān performed the hajj and I saw that the first thing he did was the *ṭawāf* at the Kaʿbah, then there was nothing else. Then Muʿāwiyah and ʿAbdullāh ibn ʿUmar. Then I performed the hajj with my father, al-Zubayr ibn al-ʿAwwām, and the first thing he did was the *ṭawāf* at the Kaʿbah, then there was nothing else. I also saw the Muhājirīn and the Anṣār do so, then there was nothing else. The last one I saw doing this was Ibn ʿUmar, and he did not subsequently change it to an ʿumrah. Ibn ʿUmar is available here: should they not ask him? Everyone of those who passed away never started with anything when they first arrived other than the *ṭawāf* at the Kaʿbah. They did not release themselves from *iḥrām* after it. I saw my mother and my maternal aunt[i] when they arrived. They started with nothing other than the Kaʿbah where they performed the *ṭawāf*, then they did not release themselves from *iḥrām*. My mother told me that she arrived with her sister, al-Zubayr and so-and-so and such-and-such on an ʿumrah alone. When they touched the Black Stone, they released themselves. Whoever said what you mentioned has lied".'

حَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، حَدَّثَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي عَمْرٌو (وَهُوَ ابْنُ الْحَارِثِ)، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ، أَنَّ رَجُلاً مِنْ أَهْلِ الْعِرَاقِ قَالَ لَهُ: سَلْ لِي عُرْوَةَ بْنَ الزُّبَيْرِ عَنْ رَجُلٍ يُهِلُّ بِالْحَجِّ، فَإِذَا طَافَ بِالْبَيْتِ أَيَحِلُّ أَمْ لا؟ فَإِنْ قَالَ لَكَ لَا يَحِلُّ، فَقُلْ لَهُ إِنَّ رَجُلاً يَقُولُ ذَلِكَ. قَالَ: فَسَأَلْتُهُ فَقَالَ: لاَ يَحِلُّ مَنْ أَهَلَّ بِالْحَجِّ إِلاَّ بِالْحَجِّ. قُلْتُ: فَإِنَّ رَجُلاً كَانَ يَقُولُ ذَلِكَ. قَالَ بِئْسَ مَا قَالَ.

فَتَصَدّانِي الرَّجُلَ فَسَالنِي فَحَدّثْتُهُ. فَقَالَ فَقُلّ لهُ: فَإِنّ رَجُلاً كَانَ يُخْبِرُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَدْ فَعَلَ ذَلِكَ، وَمَا شَأْنُ أَسْمَاءَ وَالزُّبَيْرِ فَعَلاَ ذَلِكَ؟ قَالَ: فَجِئْتُهُ فَذَكَرْتُ لَهُ ذَلِكَ. فَقَالَ: مَنْ هَذَا؟ فَقُلْتُ: لاَ أَدْرِي. قَالَ فَمَا بَالُهُ لاَ يَأْتِينِي بِنَفْسِهِ يَسْأَلُنِي؟ أَظُنُّهُ عِرَاقِيًّا. قُلْتُ: لاَ أَدْرِي.

قَالَ فَإِنَّهُ قَدْ كَذَبَ. قَدْ حَجَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَخْبَرَتْنِي عَائِشَةُ، رَضِيَ اللهُ عَنْهَا، أَنَّ أَوَّلَ شَىْءٍ بَدَأَ بِهِ حِينَ قَدِمَ مَكَّةَ أَنَّهُ تَوَضَّأَ، ثُمَّ طَافَ بِالْبَيْتِ. ثُمَّ حَجَّ أَبُو بَكْرٍ، فَكَانَ أَوَّلَ شَىْءٍ بَدَأَ بِهِ الطَّوَافُ بِالْبَيْتِ، ثُمَّ لَمْ يَكُنْ غَيْرُهُ. ثُمَّ عُمَرُ مِثْلُ ذَلِكَ. ثُمَّ حَجَّ عُثْمَانُ، فَرَأَيْتُهُ أَوَّلُ شَىْءٍ بَدَأَ بِهِ الطَّوَافُ بِالْبَيْتِ، ثُمَّ لَمْ يَكُنْ غَيْرُهُ. ثُمَّ مُعَاوِيَةُ، وَعَبْدُ اللهِ بْنُ عُمَرَ. ثُمَّ حَجَجْتُ مَعَ أَبِي، الزُّبَيْرِ بْنِ الْعَوَّامِ، فَكَانَ أَوَّلَ شَىْءٍ بَدَأَ بِهِ الطَّوَافُ بِالْبَيْتِ، ثُمَّ لَمْ يَكُنْ غَيْرُهُ. ثُمَّ رَأَيْتُ الْـمُهَاجِرِينَ وَالأَنْصَارَ يَفْعَلُونَ ذَلِكَ، ثُمَّ لَمْ يَكُنْ غَيْرُهُ. ثُمَّ آخِرُ مَنْ رَأَيْتُ فَعَلَ ذَلِكَ ابْنُ عُمَرَ، ثُمَّ لَمْ يَنْقُضْهَا بِعُمْرَةٍ. وَهَذَا ابْنُ عُمَرَ عِنْدَهُمْ، أَفَلاَ يَسْأَلُونَهُ؟ وَلاَ أَحَدٌ مِمَّنْ مَضَى مَا كَانُوا يَبْدَءُونَ بِشَىْءٍ حِينَ يَضَعُونَ أَقْدَامَهُمْ أَوَّلَ مِنَ الطَّوَافِ بِالْبَيْتِ، ثُمَّ لاَ يَحِلُّونَ. وَقَدْ رَأَيْتُ أُمِّي وَخَالَتِي حِينَ تَقْدَمَانِ لاَ تَبْدَآنِ بِشَىْءٍ أَوَّلَ مِنَ الْبَيْتِ، تَطُوفَانِ بِهِ، ثُمَّ لاَ تَحِلاَّنِ. وَقَدْ أَخْبَرَتْنِي أُمِّي أَنَّهَا أَقْبَلَتْ هِيَ وَأُخْتُهَا وَالزُّبَيْرُ وَفُلاَنٌ وَفُلاَنٌ بِعُمْرَةٍ قَطُّ، فَلَمَّا مَسَحُوا الرُّكْنَ حَلُّوا. وَقَدْ كَذَبَ فِيمَا ذَكَرَ مِنْ ذَلِكَ.

[2618–191]. (Dar al-Salam 2851) Isḥāq ibn Ibrāhīm narrated: Muhammad ibn Bakr reported; Ibn Jurayj reported [H]. Also, Zuhayr ibn Ḥarb narrated to me (his text); Rawḥ ibn ʿUbādah narrated; Ibn Jurayj narrated; Manṣūr ibn ʿAbd al-Raḥmān narrated to me; from his mother Ṣafiyyah bint Shaybah; from Asmā’ bint Abu Bakr. She said: **‘We set out in *iḥrām*. God’s Messenger (peace be upon him) said: “Whoever has brought his sacrifice stays in *iḥrām,* and those who have not brought a sacrifice release themselves from *iḥrām*”. I did not have a sacrifice and therefore I released myself, but al-Zubayr**[ii] **brought his sacrifice with him and he did not release himself’. She said: ‘I put on my clothes and came out and sat with al-Zubayr. He said: “Leave me alone”. I said: “Do you fear that I will jump on you?”.’**

حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، ح. وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا ابْنُ جُرَيْجٍ، حَدَّثَنِي مَنْصُورُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ أُمِّهِ صَفِيَّةَ بِنْتِ شَيْبَةَ، عَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ، (رَضِيَ اللهُ عَنْهُمَا) قَالَتْ: خَرَجْنَا مُحْرِمِينَ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ كَانَ مَعَهُ هَدْيٌ فَلْيَقُمْ عَلَى إِحْرَامِهِ، وَمَنْ لَمْ يَكُنْ مَعَهُ هَدْيٌ فَلْيَحْلِلْ». فَلَمْ يَكُنْ مَعِي هَدْيٌ فَحَلَلْتُ، وَكَانَ مَعَ الزُّبَيْرِ هَدْيٌ فَلَمْ يَحْلِلْ. قَالَتْ: فَلَبِسْتُ ثِيَابِي ثُمَّ خَرَجْتُ، فَجَلَسْتُ إِلَى الزُّبَيْرِ فَقَالَ: قُومِي عَنِّي. فَقُلْتُ: أَتَخْشَى أَنْ أَثِبَ عَلَيْكَ؟

[2619–192]. (Dar al-Salam 2852) ʿAbbās ibn ʿAbd al-ʿAẓīm al-ʿAnbarī narrated to me: Abu Hishām al-Mughīrah ibn Salamah al-Makhzūmī narrated; Wuhayb narrated; Manṣūr ibn ʿAbd al-Raḥmān narrated; from his mother; from Asmā' bint Abu Bakr. She said: **'We came with God's Messenger (peace be upon him) declaring for the hajj…'. He then added the same as Ibn Jurayj's narration, except that he said that al-Zubayr said to her: 'Stay further from me. Stay further from me'. I said: 'Do you fear that I will jump on you?'**

وَحَدَّثَنِي عَبَّاسُ بْنُ عَبْدِ الْعَظِيمِ الْعَنْبَرِيُّ، حَدَّثَنَا أَبُو هِشَامٍ الْـمُغِيرَةُ بْنُ سَلَمَةَ الْـمَخْزُومِيُّ، حَدَّثَنَا وُهَيْبٌ، حَدَّثَنَا مَنْصُورُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ أُمِّهِ، عَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَتْ: قَدِمْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُهِلِّينَ بِالْحَجِّ... ثُمَّ ذَكَرَ بِمِثْلِ حَدِيثِ ابْنِ جُرَيْجٍ، غَيْرَ أَنَّهُ قَالَ: فَقَالَ اسْتَرْخِي عَنِّي، اسْتَرْخِي عَنِّي. فَقُلْتُ: أَتَخْشَى أَنْ أَثِبَ عَلَيْكَ؟

[2620–193]. (Dar al-Salam 2853) Ḥārūn ibn Saʿīd al-Aylī and Ahmad ibn ʿĪsā narrated to me: both said: Ibn Wahb narrated; ʿAmr reported to me; from Abu al-Aswad; that ʿAbdullāh, Asmā' bint Abu Bakr's *mawlā* narrated to him that he used to hear Asmā' say whenever she passed by al-Ḥajūn: **'May God grant peace and blessings to His Messenger. We encamped with him here. We were then people with light luggage, few mounts and little provisions. I performed the ʿumrah with my sister, ʿĀ'ishah, al-Zubayr, so-and-so and such-and-such. When we touched the House, we released ourselves from *iḥrām*. We then started our *iḥrām* for the hajj'.**

In his narration, Ḥārūn mentioned Asmā’’s *mawlā*, without naming him ʿAbdullāh.

وَحَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، وَأَحْمَدُ بْنُ عِيسَى، قَالا: حَدَّثَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي عَمْرٌو، عَنْ أَبِي الأَسْوَدِ، أَنَّ عَبْدَ اللهِ مَوْلَى أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ، رَضِيَ اللهُ عَنْهُمَا، حَدَّثَهُ أَنَّهُ كَانَ يَسْمَعُ أَسْمَاءَ كُلَّمَا مَرَّتْ بِالْحَجُونِ تَقُولُ: صَلَّى اللهُ عَلَى رَسُولِهِ وَسَلَّمَ. لَقَدْ نَزَلْنَا مَعَهُ هَاهُنَا، وَنَحْنُ يَوْمَئِذٍ خِفَافُ الْحَقَائِبِ، قَلِيلٌ ظَهْرُنَا، قَلِيلَةٌ أَزْوَادُنَا. فَاعْتَمَرْتُ أَنَا وَأُخْتِي عَائِشَةُ، وَالزُّبَيْرُ وَفُلاَنٌ وَفُلاَنٌ. فَلَمَّا مَسَحْنَا الْبَيْتَ أَحْلَلْنَا، ثُمَّ أَهْلَلْنَا مِنَ الْعَشِيِّ بِالْحَجِّ.

قَالَ هَارُونُ فِي رِوَايَتِهِ أَنَّ مَوْلَى أَسْمَاءَ، وَلَمْ يُسَمِّ عَبْدَ اللهِ.

Text Explanation

In hadith No. 2617 ʿUrwah ibn al-Zubayr replies to the question put to him by a person who was unknown to him, stating that the first thing the Prophet did on arriving in Makkah was to perform wudu and do the *ṭawāf* at the Kaʿbah. This gives evidence that wudu is necessary for the validity of the *ṭawāf* because the Prophet did so then said: 'Learn your rituals from me'. The Muslim community is unanimous that wudu before *ṭawāf* is appropriate, but scholars differ on whether or not it is a condition for the validity of the *ṭawāf*. Mālik, al-Shāfiʿī, Ahmad and the majority of scholars hold that it is such a condition for the validity of the *ṭawāf*. Abu Ḥanīfah considers it desirable, not a condition. The majority cite this hadith as their evidence and consider that when we take it in conjunction with the Prophet's order: 'Learn your rituals from me', we realise that the *ṭawāf* is a duty because everything the Prophet did on his hajj is part of its rituals, and he commanded us to do the same.

A hadith narrated by Ibn ʿAbbās and related by al-Tirmidhī and others quotes the Prophet as saying: 'The *ṭawāf* at the Kaʿbah is a prayer but God permitted speaking during it'. However, attributing this hadith to the Prophet is suspect. Hadith scholars say that it is *mawqūf*, with its chain of transmission stopped at Ibn ʿAbbās, meaning that it is Ibn ʿAbbās' own statement. However, it is still taken as evidence because it is a statement by a companion of the Prophet which is widely circulated. When such a statement of a Prophet's companion becomes widely known and nothing is said to contradict it, it becomes acceptable evidence.

In this hadith, the phrase 'then there was nothing else' is repeated several times. This is how it occurs in all manuscripts. *Qadi* ʿIyāḍ confirms that it occurs in this form in all copies, but he adds: 'It is a case of misspelling. It should be "then there was no ʿumrah". [The difference in the written form of Arabic is very little.] The person putting the question to ʿUrwah was asking about the change of *iḥrām* from one of the hajj to one of ʿumrah according to the scholars who agree to this. He cites the fact that the Prophet ordered his Companions to do so in the Farewell Pilgrimage. ʿUrwah informed the questioner that the Prophet did not do it himself, nor did the people after him'. What *Qadi* ʿIyāḍ says of misspelling is not right.

The words are correct as they occur in the copies, both in transmission and in meaning. The words ‘nothing else’ mean the ʿumrah and anything else. Thus, the meaning of ʿUrwah’s answer is that then Abu Bakr performed the hajj and the first thing he did was the *ṭawāf* at the Kaʿbah, then there was nothing else, i.e., he did not change his intention to do the hajj, nor did he switch to some other act, neither ʿumrah nor *qirān*, but God knows best.

ʿUrwah also said: ‘Everyone of those who passed away never started with anything when they first arrived other than the *ṭawāf* at the Kaʿbah. They did not release themselves from *iḥrām* after it’. This means that a pilgrim who declares for the hajj should start with the *ṭawāf* of arrival on entering Makkah. He should do nothing before it, not even the prayer of greeting the mosque. The *ṭawāf* of arrival must be his first action. This is agreed upon in our school. He adds: ‘They did not release themselves from *iḥrām* after it’. It is clear that it is not permissible to release oneself from *iḥrām* after doing the *ṭawāf* of arrival, as we explained earlier.

ʿUrwah also says in the same hadith: ‘My mother told me that she arrived with her sister, al-Zubayr, and so-and-so and such-and-such on an ʿumrah alone. When they touched the Black Stone, they released themselves’. The reference to the ones who ‘touched the Black Stone’ means all of them except ʿĀ’ishah, who did not touch the Black Stone before attending Arafat during the Farewell Pilgrimage. She was prevented from doing her *ṭawāf* before the Day of Sacrifice because she had begun menstruating. The same applies to what Asmā’ said in hadith No. 2620: ‘I performed the ʿumrah with my sister, ʿĀ’ishah, al-Zubayr, so-and-so and such-and-such. When we touched the House, we released ourselves from *iḥrām*. We then started our *iḥrām* for the hajj’. Again, ʿĀ’ishah is excluded here. This is how *Qadi* ʿIyāḍ expressed his understanding of the hadith. The information given here is about their hajj with the Prophet, the Farewell Pilgrimage, according to how it is mentioned at the beginning of the hadith. The people mentioned, except ʿĀ’ishah, were in *iḥrām* for the ʿumrah, which is the one they adopted after changing their *iḥrām* for the hajj. ʿĀ’ishah was not specifically singled out because her situation is well-known. *Qadi* ʿIyāḍ mentioned that some scholars said: ‘It is possible that Asmā’ referred to ʿĀ’ishah’s ʿumrah which she performed with her brother ʿAbd al-Raḥmān, starting from al-Tanʿīm’. He says: ‘Those who say that it

is possible that she meant a different occasion, other than the Farewell Pilgrimage, are mistaken because the hadith clearly mentions that it was during the Farewell Pilgrimage'.

In hadith No. 2618 Asmā' says: 'We set out in *iḥrām*. God's Messenger (peace be upon him) said: "Whoever has brought his sacrifice stays in *iḥrām*, and those who have not brought a sacrifice release themselves from *iḥrām*". I did not have a sacrifice and therefore I released myself, but al-Zubayr brought his sacrifice with him, and he did not release himself'. It is clear, therefore, that during the Farewell Pilgrimage, al-Zubayr did not release himself from *iḥrām* before the Day of Sacrifice. Therefore, he should be excepted like ʿĀ'ishah, or it may be that his *iḥrām* for the ʿumrah and release from it was on an occasion other than the Farewell Pilgrimage, but God knows best.

In hadith No. 2617 Asmā' says: 'When they touched the Black Stone, they released themselves'. This is understood to mean more than its apparent meaning because the Black Stone is touched at the beginning of the *ṭawāf*, and release from *iḥrām* does not occur by merely touching it. This is unanimously agreed upon by all Muslims. What is meant here is when they touched the Black Stone, completed their *ṭawāf* and *saʿi*, and then shaved their heads or cut their hair, they released themselves from *iḥrām*. Her statement must be understood thus, and she merely omitted these details because they are well-known. Scholars are unanimous that no release from *iḥrām* occurs before the completion of the *ṭawāf*. According to our school and the majority of scholars, the *saʿi* and the shaving or cutting of the hair are essential after it. Some early scholars take the view that the *saʿi* is not a duty. There is nothing in this hadith to support this view because its apparent meaning is not the intended one, according to the unanimous view. It must be understood in the way we explained so that it will be consistent with other hadiths, but God knows best.

In hadith No. 2618 al-Zubayr says to his wife after she had released herself from *iḥrām*: 'Leave me alone'. And in the following hadith, he says to her: 'Stay further away from me'. She said: 'Do you fear that I may jump on you?' He tells her this, fearing that he might inadvertently touch her with desire. To do so during *iḥrām* is forbidden. He therefore took precautions and told her to keep a distance from him.

In hadith No. 2620 al-Ḥajūn is mentioned. This is a mountain within the Ḥaram area, overlooking al-Ḥaras Mosque, on the right side as one goes up at al-Muḥaṣṣab.

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i. This is a reference to his aunt, ʿĀ'ishah, and his mother, Asmā' bint Abu Bakr.

ii. Al-Zubayr was her husband.

CHAPTER 30

RELEASE FROM *IḤRĀM* DURING THE HAJJ

[2621–194]. (Dar al-Salam 2854) Muhammad ibn Ḥātim nar-rated: Rawḥ ibn ʿUbādah narrated; Shuʿbah narrated; from Muslim al-Qurrī. He said: **‘I asked Ibn ʿAbbās about the *tamattuʿ* in the hajj, and he approved of it. Ibn al-Zubayr used to advise against it. He [i.e., Ibn ʿAbbās] said: “Here is Ibn al-Zubayr’s mother narrating that God’s Messenger (peace be upon him) approved of it. Go to her and ask her”. We visited her and found her a large, blind woman. She said: “God’s Messenger (peace be upon him) approved of it”.’**

حَدَّثَنَا مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا شُعْبَةُ، عَنْ مُسْلِمٍ الْقُرِّيِّ، قَالَ: سَأَلْتُ ابْنَ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، عَنْ مُتْعَةِ الْحَجِّ، فَرَخَّصَ فِيهَا. وَكَانَ ابْنُ الزُّبَيْرِ يَنْهَى عَنْهَا، فَقَالَ هَذِهِ أُمُّ ابْنِ الزُّبَيْرِ تُحَدِّثُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَخَّصَ فِيهَا، فَادْخُلُوا عَلَيْهَا فَاسْأَلُوهَا. قَالَ: فَدَخَلْنَا عَلَيْهَا، فَإِذَا امْرَأَةٌ ضَخْمَةٌ عَمْيَاءُ، فَقَالَتْ: قَدْ رَخَّصَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِيهَا.

[2622–195]. (Dar al-Salam 2855) Ibn al-Muthannā narrated: ʿAbd al-Raḥmān narrated [H]. Also, Ibn Bashshār narrated; Muhammad (meaning Ibn Jaʿfar) narrated; both from Shuʿbah; with the same chain of transmission: **In his narration, ʿAbd al-Raḥmān mentions the *mutʿah* but he did not say *mutʿat al-hajj* [i.e. *tamattuʿ*], while Ibn Jaʿfar said: Shuʿbah said; Muslim said: 'I am unsure whether it is the *tamattuʿ* in the hajj or temporary marriage'.**[i]

وَحَدَّثَنَاهُ ابْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، ح. وَحَدَّثَنَاهُ ابْنُ بَشَّارٍ، حَدَّثَنَا مُحَمَّدٌ (يَعْنِي ابْنَ جَعْفَرٍ)، جَمِيعًا عَنْ شُعْبَةَ، بِهَذَا الإِسْنَادِ. فَأَمَّا عَبْدُ الرَّحْمَنِ فَفِي حَدِيثِهِ: الْـمُتْعَةُ، وَلَمْ يَقُلْ مُتْعَةُ الْحَجِّ. وَأَمَّا ابْنُ جَعْفَرٍ فَقَالَ: قَالَ شُعْبَةُ، قَالَ مُسْلِمٌ: لاَ أَدْرِي مُتْعَةُ الْحَجِّ أَوْ مُتْعَةُ النِّسَاءِ.

[2623–196]. (Dar al-Salam 2856) ʿUbaydullāh ibn Muʿādh narrated:[ii] my father narrated; Shuʿbah narrated; Muslim al-Qurrī narrated; he heard Ibn ʿAbbās say: **'God's Messenger (peace be upon him) declared his *iḥrām* for the ʿumrah, but his Companions declared for the hajj. Neither the Prophet nor those of his Companions who brought their sacrifice with them released themselves from *iḥrām*, while the rest did. Ṭalḥah ibn ʿUbaydullāh was one who brought his sacrifice with him. He, therefore, did not release himself'.**

وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، حَدَّثَنَا مُسْلِمٌ الْقُرِّيُّ، سَمِعَ ابْنَ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ: أَهَلَّ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِعُمْرَةٍ، وَأَهَلَّ أَصْحَابُهُ بِحَجٍّ. فَلَمْ يَحِلَّ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَلاَ

مَنْ سَاقَ الْهَدْيَ مِنْ اصْحَابِهِ، وَحَلّ بَقِيّتُهُمْ. فَكَانَ طلحَةُ بْنُ عُبَيْدِ اللهِ فِيمَنْ سَاقَ الْهَدْيَ، فَلَمْ يَحِلَّ.

[2624–197]. (Dar al-Salam 2857) Muhammad ibn Bashshār narrated: Muhammad (meaning Ibn Jaʿfar) narrated; Shuʿbah narrated; with the same chain of transmission: **the same text, except that he said: ‘Among those who did not bring their sacrifice was Ṭalḥah ibn ʿUbaydullāh and another man. So, both released themselves from *iḥrām*’.**

وَحَدَّثَنَاهُ مُحَمَّدُ بْنُ بَشَّارٍ، حَدَّثَنَا مُحَمَّدٌ (يَعْنِي ابْنَ جَعْفَرٍ)، حَدَّثَنَا شُعْبَةُ، بِهَذَا الإِسْنَادِ: غَيْرَ أَنَّهُ قَالَ وَكَانَ مِمَّنْ لَمْ يَكُنْ مَعَهُ الْهَدْيُ طَلْحَةُ بْنُ عُبَيْدِ اللهِ وَرَجُلٌ آخَرُ فَأَحَلاَّ.

Text Explanation

Imam al-Nawawi considered these hadiths to be self-explanatory, after he had spoken at length about the *tamattuʿ* and how the Prophet and his Companions conducted their hajj. Therefore, he did not add any further comment about them.

Transmission

In the chain of transmission of these hadiths we have the narrator Muslim al-Qurrī. He belonged to Banī Qurrah, a clan belonging to the ʿAbd al-Qays tribe.

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i. *Mutʿah* also refers to temporary marriage. The reference to Muslim here is to Muslim al-Qurrī, a narrator of this hadith.

ii. Related by Abu Dāwūd, 1804; al-Nasā'ī, 2813.

CHAPTER 31

PERFORMING THE ʿUMRAH DURING THE HAJJ MONTHS

[2625–198]. (Dar al-Salam 2858) Muhammad ibn Ḥātim nar-rated to me:[i] Bahz narrated; Wuhayb narrated; ʿAbdullāh ibn Ṭāwūs narrated; from his father; from Ibn ʿAbbās. He said: **‘They [meaning the Arabs] used to consider performing the ʿumrah in the months of the hajj to be one of the most grievous of sins on earth. They switched [the month of] Ṣafar to al-Muḥarram and said: “When the backs of camels have healed, the traces have been effaced and Ṣafar has gone, the ʿumrah is permissible to whoever wishes to do it”. The Prophet and his Companions arrived [in Makkah] in the morning of the fourth [of Dhul-Ḥijjah], declaring their *iḥrām* for the hajj, but he commanded them to make it an ʿumrah. They felt that to be an enormity. They said: “Messenger of God, which [type of] release?” He said: “The full release”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا بَهْزٌ، حَدَّثَنَا وُهَيْبٌ، حَدَّثَنَا عَبْدُ اللهِ بْنُ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: كَانُوا يَرَوْنَ أَنَّ الْعُمْرَةَ فِي أَشْهُرِ الْحَجِّ مِنْ أَفْجَرِ الْفُجُورِ فِي الأَرْضِ، وَيَجْعَلُونَ الْـمُحَرَّمَ صَفَراً، وَيَقُولُونَ: إِذَا بَرَأَ الدَّبَرْ، وَعَفَا الأَثَرْ، وَانْسَلَخَ صَفَرْ، حَلَّتِ

الْعُمْرَةُ لِمَنِ اعْتَمَرْ. فَقَدِمَ النَّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلِمَ وَأَصْحَابُهُ صَبِيحَةَ رَابِعَةٍ، مُهِلِّينَ بِالْحَجِّ، فَأَمَرَهُمْ أَنْ يَجْعَلُوهَا عُمْرَةً. فَتَعَاظَمَ ذَلِكَ عِنْدَهُمْ، فَقَالُوا: يَا رَسُولَ اللهِ، أَيُّ الْحِلِّ؟ قَالَ: «الْحِلُّ كُلُّهُ».

[2626–199]. (Dar al-Salam 2859) Naṣr ibn ʿAlī al-Jahḍamī narrated:[ii] my father narrated; Shuʿbah narrated; from Ayyūb; from Abu al-ʿĀliyah al-Barrā’; that he heard Ibn ʿAbbās say: **‘God’s Messenger (peace be upon him) declared his *iḥrām* for the hajj. He arrived four days after the beginning of Dhul-Ḥijjah. He offered the Fajr Prayer and said after finishing his prayer: “Whoever wishes to make it an ʿumrah may do so”.’**

حَدَّثَنَا نَصْرُ بْنُ عَلِيٍّ الْجَهْضَمِيُّ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنْ أَيُّوبَ، عَنْ أَبِي الْعَالِيَةِ الْبَرَّاءِ، أَنَّهُ سَمِعَ ابْنَ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، يَقُولُ: أَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ، فَقَدِمَ لِأَرْبَعٍ مَضَيْنَ مِنْ ذِي الْحِجَّةِ، فَصَلَّى الصُّبْحَ وَقَالَ لَمَّا صَلَّى الصُّبْحَ: «مَنْ شَاءَ أَنْ يَجْعَلَهَا عُمْرَةً فَلْيَجْعَلْهَا عُمْرَةً».

[2627–200]. (Dar al-Salam 2860) Ibrāhīm ibn Dīnār narrated: Rawḥ narrated [H]. Also, Abu Dāwūd al-Mubārakī narrated; Abu Shihāb narrated [H]. And Muhammad ibn al-Muthannā narrated; Yaḥyā ibn Kathīr narrated; all from Shuʿbah; with the same chain of transmission. Rawḥ and Yaḥyā ibn Kathīr said the same as Naṣr said: **‘God’s Messenger (peace be upon him) declared his *iḥrām* for the hajj’.**

Abu Shihāb said in his narration: **‘We set out with God’s Messenger (peace be upon him) declaring our *iḥrām* for the hajj’.**

In all their narrations: **‘He offered the Fajr Prayer in the desert’, except al-Jahḍamī who did not say this.**

وَحَدَّثَنَاهُ إِبْرَاهِيمُ بْنُ دِينَارٍ، حَدَّثَنَا رَوْحٌ، ح. وَحَدَّثَنَا أَبُو دَاوُدَ الْـمُبَارَكِيُّ، حَدَّثَنَا أَبُو شِهَابٍ، ح. وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا يَحْيَى بْنُ كَثِيرٍ، كُلُّهُمْ عَنْ شُعْبَةَ، فِي هَذَا الإِسْنَادِ: أَمَّا رَوْحٌ وَيَحْيَى بْنُ كَثِيرٍ فَقَالا كَمَا قَالَ نَصْرٌ: أَهَلَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْحَجِّ. وَأَمَّا أَبُو شِهَابٍ فَفِي رِوَايَتِهِ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نُهِلُّ بِالْحَجِّ. وَفِي حَدِيثِهِمْ جَمِيعًا: فَصَلَّى الصُّبْحَ بِالْبَطْحَاءِ، خَلاَ الْجَهْضَمِيَّ فَإِنَّهُ لَمْ يَقُلْهُ.

[2628–201]. (Dar al-Salam 2861) Ḥārūn ibn ʿAbdullāh narrated: Muhammad ibn al-Faḍl al-Sadūsī narrated; Wuhayb narrated; Ayyūb reported; from Abu al-ʿĀliyah al-Barrā’; from Ibn ʿAbbās. He said: **‘God’s Messenger and his Companions arrived [in Makkah] when four nights of the ten [of Dhul-Ḥijjah] had gone. They were saying the *talbiyah* for the hajj. He ordered them to make it an ʿumrah’.**

وَحَدَّثَنَا هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا مُحَمَّدُ بْنُ الْفَضْلِ السَّدُوسِيُّ، حَدَّثَنَا وُهَيْبٌ، أَخْبَرَنَا أَيُّوبُ، عَنْ أَبِي الْعَالِيَةِ الْبَرَّاءِ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: قَدِمَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَصْحَابُهُ لأَرْبَعٍ خَلَوْنَ مِنَ الْعَشْرِ، وَهُمْ يُلَبُّونَ بِالْحَجِّ، فَأَمَرَهُمْ أَنْ يَجْعَلُوهَا عُمْرَةً.

[2629–202]. (Dar al-Salam 2862) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from Ayyūb; from Abu al-ʿĀliyah; from Ibn ʿAbbās. He said: **‘God’s Messenger (peace be upon him) prayed the Fajr Prayer at Dhū Ṭuwā and arrived when four nights of Dhul-Ḥijjah had gone. He ordered his Companions to transfer their *iḥrām* to an ʿumrah, except those who had brought their sacrifice with them’.**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنْ أَيُّوبَ، عَنْ أَبِي الْعَالِيَةِ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: صَلَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الصُّبْحَ بِذِي طَوًى، وَقَدِمَ لأَرْبَعٍ مَضَيْنَ مِنْ ذِي الْحِجَّةِ، وَأَمَرَ أَصْحَابَهُ أَنْ يُحَوِّلُوا إِحْرَامَهُمْ بِعُمْرَةٍ، إِلاَّ مَنْ كَانَ مَعَهُ الْهَدْيُ.

[2630–203]. (Dar al-Salam 2863) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[iii] both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated [H]. Also, ʿUbaydullāh ibn Muʿādh narrated (his text); my father narrated; Shuʿbah narrated; from al-Ḥakam; from Mujāhid; from Ibn ʿAbbās. He said: **‘God’s Messenger (peace be upon him) said: “This is an ʿumrah which we have taken advantage of. Those who have not brought their sacrifice with them should release themselves fully from consecration. The ʿumrah has joined with the hajj for the rest of time”.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ، قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، ح. وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ مُعَاذٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، عَنْ مُجَاهِدٍ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: قَالَ

رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ: «هَذِهِ عُمْرَةٌ اسْتَمْتَعْنَا بِهَا، فَمَنْ لَمْ يَكُنْ عِنْدَهُ الْهَدْيُ فَلْيَحِلَّ الْحِلَّ كُلَّهُ، فَإِنَّ الْعُمْرَةَ قَدْ دَخَلَتْ فِي الْحَجِّ إِلَى يَوْمِ الْقِيَامَةِ».

[2631–204]. (Dar al-Salam 2864) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[iv] both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated. He said: **‘I heard Abu Jamrah al-Ḍubaʿī say**: **“I performed the *tamattuʿ* method, but some people criticised what I did. I went to Ibn ʿAbbās and asked him about this? He ordered me to do it”.’**

He said: ‘I then went home and slept. I saw someone in my dream saying: “Accepted ʿumrah and well-done hajj”. I went to Ibn ʿAbbās and told him. He said: “God is Supreme. God is Supreme. It is the way of Abu al-Qāsim (peace be upon him)”.’

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ، قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، قَالَ سَمِعْتُ أَبَا جَمْرَةَ الضُّبَعِيَّ قَالَ: تَمَتَّعْتُ فَنَهَانِي نَاسٌ عَنْ ذَلِكَ، فَأَتَيْتُ ابْنَ عَبَّاسٍ، فَسَأَلْتُهُ عَنْ ذَلِكَ، فَأَمَرَنِي بِهَا.

قَالَ: ثُمَّ انْطَلَقْتُ إِلَى الْبَيْتِ، فَنِمْتُ، فَأَتَانِي آتٍ فِي مَنَامِي فَقَالَ: عُمْرَةٌ مُتَقَبَّلَةٌ وَحَجٌّ مَبْرُورٌ. قَالَ: فَأَتَيْتُ ابْنَ عَبَّاسٍ فَأَخْبَرْتُهُ بِالَّذِي رَأَيْتُ، فَقَالَ: اللهُ أَكْبَرُ، اللهُ أَكْبَرُ. سُنَّةُ أَبِي الْقَاسِمِ صَلى اللهُ عَلَيْهِ وَسَلمَ.

Text Explanation

Hadith No. 2625 starts by mentioning some of the false practices of the Arabs before Islam: ‘They used to consider performing the ʿumrah during the hajj months to be one of the most grievous sins on earth. They switched [the month of] Ṣafar to al-Muḥarram’. [In the lunar calendar, there are four sacred months, when fighting is forbidden. These are the 7th, 11th, 12th and 1st months. Al-Muḥarram is the first month of the year followed by Ṣafar.] The hadith speaks about the switching of months which the Arabs used to do. They gave the month of al-Muḥarram the name Ṣafar, which is the next month. They would postpone al-Muḥarram making the month after Ṣafar sacred. They did so in order not to have three consecutive sacred months because that restricted them and prevented them from attacking other tribes or stopped them doing other things that are not allowed during the sacred months. God left them to go astray, and He said: ‘The postponement of sacred months is only an excess of unbelief, in which the unbelievers are led astray’. (9: 36)

The hadith quotes what the unbelievers used to say: ‘When the backs of camels have healed, the traces have been effaced and Ṣafar has gone, the ʿumrah is permissible to whoever wishes to do it’. This refers to the sores on the backs of camels that travel to Makkah carrying pilgrims and their luggage. The long trip to Makkah and back caused prolonged rubbing of saddles on their backs which in turn caused these sores. ‘The effaced traces’ refers to the traces of the camels on this long trip being effaced by the passage of time.

In hadith No. 2629 we learn that the Prophet ‘prayed Fajr Prayer at Dhū Ṭuwā’. This is the name of a valley close to Makkah. This hadith provides evidence in support of the view that it is desirable to enter Makkah during the day, not during the night. It is the more correct view of scholars of our Shāfiʿī School. It is the view of Ibn ʿUmar, ʿAṭā’, al-Nakhaʿī, Isḥāq ibn Rāhawayh and Ibn al-Mundhir. The second view is that entering Makkah during the night is the same as entering during the day. There is no special merit in either. This is the view of *Qadi* Abu al-Ṭayyib Ṭāhir ibn ʿAbdullāh, al-Māwardī, Ibn al-Ṣabbāgh and al-ʿAbdarī of our scholars, and it is the view of Ṭāwūs and al-Thawrī. ʿĀ’ishah, Saʿīd ibn Jubayr and ʿUmar ibn

ʿAbd al-ʿAzīz said that it is desirable to enter Makkah at night. It is preferable to entering during the day, but God knows best.

Transmission

Abu al-ʿĀliyah is mentioned in the chains of transmission of some of the hadiths in this chapter, and he is described in hadith No. 2626 and No. 2628 as ‘al-Barrā’’. This description refers to the fact that he used to sharpen arrows.

In the chain of transmission of Hadith No. 2627 Abu Dāwūd al-Mubārakī is one of the narrators. His name is Sulaymān ibn Muhammad, and some say it is Sulaymān ibn Dāwūd. He was from al-Mubārak, a small town near Wāsiṭ, between Wāsiṭ and Baghdad, close to the Tigris River.

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i. Related by al-Bukhari, 1564 and 3832; al-Nasā’ī, 2812.
ii. Related by al-Bukhari, 1085; al-Nasā’ī, 2871.
iii. Related by Abu Dāwūd, 1790; al-Nasā’ī, 2814.
iv. Related by al-Bukhari, 1567, 1688.

CHAPTER 32

MARKING THE SACRIFICE AT THE TIME OF *IḤRĀM*

[2632–205]. (Dar al-Salam 2865) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[i] both from Ibn Abi ʿAdiy. Ibn al- Muthannā said: Ibn Abi ʿAdiy narrated; from Shuʿbah; from Qatādah; from Abu Ḥassān; from Ibn ʿAbbās. He said: **‘God’s Messenger (peace be upon him) prayed ẓuhr at Dhul-Ḥulayfah, then called to his she-camel and marked her on the right side of her hump, allowing the blood to spill. He hung two sandals on her, then mounted his camel. When he was marching in the desert, he declared his *iḥrām* for the hajj’.**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ، جَمِيعًا عَنِ ابْنِ أَبِي عَدِيٍّ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ شُعْبَةَ، عَنْ قَتَادَةَ، عَنْ أَبِي حَسَّانَ، عَنِ ابْنِ عَبَّاسٍ، رَضِيَ اللهُ عَنْهُمَا، قَالَ صَلَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الظُّهْرَ بِذِي الْحُلَيْفَةِ، ثُمَّ دَعَا بِنَاقَتِهِ فَأَشْعَرَهَا فِي صَفْحَةِ سَنَامِهَا الأَيْمَنِ، وَسَلَتَ الدَّمَ، وَقَلَّدَهَا نَعْلَيْنِ. ثُمَّ رَكِبَ رَاحِلَتَهُ، فَلَمَّا اسْتَوَتْ بِهِ عَلَى الْبَيْدَاءِ أَهَلَّ بِالْحَجِّ.

[2633–000]. (Dar al-Salam 2866) Muhammad ibn al-Muthannā narrated: Muʿādh ibn Hishām narrated; my father narrated; from Qatādah; with the same chain of transmission: **the same text as Shuʿbah's narration, except that he said: 'When the Prophet arrived at Dhul-Ḥulayfah', but he did not say: 'he prayed ẓuhr there'.**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ، حَدَّثَنِي أَبِي، عَنْ قَتَادَةَ، فِي هَذَا الإِسْنَادِ: بِمَعْنَى حَدِيثِ شُعْبَةَ، غَيْرَ أَنَّهُ قَالَ: إِنَّ نَبِيَّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمَّا أَتَى ذَا الْحُلَيْفَةِ، وَلَمْ يَقُلْ صَلَّى بِهَا الظُّهْرَ.

[2634–206]. (Dar al-Salam 2867) Muhammad ibn al-Muthannā and Ibn Bashshār narrated: Ibn al-Muthannā said: Muhammad ibn Jaʿfar narrated; he said: Shuʿbah narrated; from Qatādah; he said: I heard Abu Ḥassān al-Aʿraj. He said: **'A man from the al-Hujaym clan said to Ibn ʿAbbās: "What is this ruling that has had such an appeal to people, or that divided people – that whoever performs the *ṭawāf* at the Kaʿbah releases himself from *iḥrām*?" He said: "This is your Prophet's way, even though you may be unwilling [to accept it]".'**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، قَالَ حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ، قَالَ: سَمِعْتُ أَبَا حَسَّانَ الأَعْرَجَ قَالَ: قَالَ رَجُلٌ مِنْ بَنِي الْهُجَيْمِ لِابْنِ عَبَّاسٍ: مَا هَذِهِ الْفُتْيَا الَّتِي قَدْ تَشَغَّفَتْ أَوْ تَشَغَّبَتْ بِالنَّاسِ، أَنَّ مَنْ طَافَ بِالْبَيْتِ فَقَدْ حَلَّ؟ فَقَالَ: سُنَّةُ نَبِيِّكُمْ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَإِنْ رَغِمْتُمْ.

[2635–207]. (Dar al-Salam 2868) Ahmad ibn Saʿīd al-Dārimī narrated to me: Ahmad ibn Isḥāq narrated; Hammām ibn Yaḥyā narrated; from Qatādah; from Abu Ḥassān. He said: **‘Ibn ʿAbbās was told: “This matter has been widely circulated, that whoever has performed the *ṭawāf* at the Kaʿbah releases himself from *iḥrām*; the *ṭawāf* is an ʿumrah”. He said: “This is your Prophet’s way, even though you may be unwilling [to accept it]”.’**

وَحَدَّثَنِي أَحْمَدُ بْنُ سَعِيدٍ الدَّارِمِيُّ، حَدَّثَنَا أَحْمَدُ بْنُ إِسْحَاقَ، حَدَّثَنَا هَمَّامُ بْنُ يَحْيَى، عَنْ قَتَادَةَ، عَنْ أَبِي حَسَّانَ، قَالَ: قِيلَ لِابْنِ عَبَّاسٍ: إِنَّ هَذَا الأَمْرَ قَدْ تَفَشَّغَ بِالنَّاسِ: مَنْ طَافَ بِالْبَيْتِ فَقَدْ حَلَّ الطَّوَافُ عُمْرَةٌ. فَقَالَ: سُنَّةُ نَبِيِّكُمْ، صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَإِنْ رَغِمْتُمْ.

[2636–208]. (Dar al-Salam 2869) Isḥāq ibn Ibrāhīm narrated:[ii] Muhammad ibn Bakr reported; Ibn Jurayj reported; ʿAṭā’ reported to me. He said: **‘Ibn ʿAbbās used to say: “Whoever performs the *ṭawāf* at the Kaʿbah, whether a pilgrim or not, is released from *iḥrām*”. I said to ʿAṭā’: “On what basis did he say that?” He said: “On the basis of what God says: ‘In the end their place of sacrifice is near the Ancient House’.” (22: 33) I said: “But this comes after the specified one [i.e., *ṭawāf al-ifāḍah*]”. He said: “Ibn ʿAbbas used to say: ‘it applies after the specified one and before it’.” He based this on the Prophet’s instructions to them when he commanded them to release themselves from *iḥrām* during the Farewell Pilgrimage’.**

وَحَدّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، اخْبَرَنَا مُحَمَّدُ بْنُ بَكرٍ، اخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عَطَاءٌ، قَالَ: كَانَ ابْنُ عَبَّاسٍ يَقُولُ لاَ يَطُوفُ بِالْبَيْتِ حَاجٌّ وَلاَ غَيْرُ حَاجٍّ إِلاَّ حَلَّ. قُلْتُ لِعَطَاءٍ: مِنْ أَيْنَ يَقُولُ ذَلِكَ؟ قَالَ مِنْ قَوْلِ اللهِ تَعَالَى: «ثُمَّ مَحِلُّهَا إِلَى الْبَيْتِ الْعَتِيقِ». قَالَ: قُلْتُ فَإِنَّ ذَلِكَ بَعْدَ الْـمُعَرَّفِ. فَقَالَ: كَانَ ابْنُ عَبَّاسٍ يَقُولُ: هُوَ بَعْدَ الْـمُعَرَّفِ وَقَبْلَهُ. وَكَانَ يَأْخُذُ ذَلِكَ مِنْ أَمْرِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، حِينَ أَمَرَهُمْ أَنْ يَحِلُّوا فِي حَجَّةِ الْوَدَاعِ.

Text Explanation

What Ibn ʿAbbās says about such a release from *iḥrām* after the *ṭawāf* is his own ruling, which is at variance with the ruling of the great majority of scholars of the earliest and later generations. What all scholars other than Ibn ʿAbbās say is that a pilgrim does not release himself from *iḥrām* after the *ṭawāf* of arrival. He cannot release himself until he has attended Arafat, stoned at the ʿAqabah Jamrah, shaved his head and performed the *ṭawāf al-ifāḍah*. When he has done all these he is fully released. The first release occurs after two of these three: the stoning, shaving and *ṭawāf*.

Ibn ʿAbbās cited the quoted verse but, in actuality, this gives him no supporting evidence. In this verse, God says: 'In the end their place of sacrifice is near the Ancient House'. This means that the sacrifice may not be slaughtered anywhere other than the Ḥaram area. The verse makes no reference to the release from *iḥrām*. Had the verse been referring to such release from consecration, it would have occurred as soon as the sacrifice reached the Ḥaram, which is before the *ṭawāf* of arrival.

His argument that the Prophet commanded them to release themselves during the Farewell Pilgrimage gives no supporting evidence either. The Prophet's order was to change their *iḥrām* from one for the hajj to one for the ʿumrah, for that year only. As such, his order cannot serve as evidence for the release of a person who starts his *iḥrām* declaring for the hajj, but God knows best.

Qadi ʿIyāḍ said that Imam al-Māzarī said: 'Some of our teachers understood Ibn ʿAbbās' ruling on this question as meaning that a person who misses out on the hajj releases himself from *iḥrām* after performing the *ṭawāf* and the *saʿi*. However, this is not relevant because after that he said Ibn ʿAbbās used to say: 'whoever performs the *ṭawāf* at the Kaʿbah, whether a pilgrim or not, is released from *iḥrām*'. But, God knows best.

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i. Related by Abu Dāwūd, 1752, 1753; al-Tirmidhī, 906; al-Nasā'ī, 2772, 2773, 2781, 2790; Ibn Mājah, 3097.

ii. Related by al-Bukhari, 4396.

CHAPTER 33

TO SHORTEN ONE'S HAIR IN ʿUMRAH

[2637–209]. (Dar al-Salam 2870) ʿAmr al-Nāqid narrated:[i] Sufyān ibn ʿUyaynah narrated; from Hishām ibn Ḥujayr; from Ṭāwūs; he said: Ibn ʿAbbās said: **'Muʿāwiyah said to me: "Did you know that I cut God's Messenger's (peace be upon him) hair at al-Marwah using a wide blade?" I said to him: "I only know this as an argument against you".'**

حَدَّثَنَا عَمْرٌو النَّاقِدُ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ هِشَامِ بْنِ حُجَيْرٍ، عَنْ طَاوُسٍ، قَالَ: قَالَ ابْنُ عَبَّاسٍ: قَالَ لِي مُعَاوِيَةُ: أَعَلِمْتَ أَنِّي قَصَّرْتُ مِنْ رَأْسِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عِنْدَ الْـمَرْوَةِ بِمِشْقَصٍ؟ فَقُلْتُ لَهُ: لا أَعْلَمُ هَذَا إِلاَّ حُجَّةً عَلَيْكَ.

[2638–210]. (Dar al-Salam 2871) Muhammad ibn Ḥātim nar-rated to me: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; al-Ḥasan ibn Muslim narrated to me; from Ṭāwūs; from Ibn ʿAbbās; that Muʿāwiyah ibn Abi Sufyān informed him saying: **'I cut God's Messenger's hair with a wide blade, when he was at al-Marwah' or 'I saw him having his hair cut with a wide blade as he was at al-Marwah'.**

وَحَدّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، حَدَّثَنِي الْحَسَنُ بْنُ مُسْلِمٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ مُعَاوِيَةَ بْنَ أَبِي سُفْيَانَ أَخْبَرَهُ، قَالَ: قَصَّرْتُ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِمِشْقَصٍ، وَهُوَ عَلَى الْـمَرْوَةِ. أَوْ رَأَيْتُهُ يُقَصَّرُ عَنْهُ بِمِشْقَصٍ وَهُوَ عَلَى الْـمَرْوَةِ.

[2639–211]. (Dar al-Salam 2872) ʿUbaydullāh ibn ʿUmar al-Qawārīrī narrated to me: ʿAbd al-ʿAlā’ ibn ʿAbd al-ʿAlā’ narrated; Dāwūd narrated; from Abu Naḍrah; from Abu Saʿīd. He said: **‘We set out with God’s Messenger (peace be upon him) declaring aloud our *iḥrām* for the hajj. When we arrived in Makkah, he commanded us to make it an ʿumrah, except for those who brought their sacrifice with them. On the Day of al-Tarwiyah we declared the *iḥrām* for the hajj as we were about to proceed to Mina’.**

حَدَّثَنِي عُبَيْدُ اللهِ بْنُ عُمَرَ الْقَوَارِيرِيُّ، حَدَّثَنَا عَبْدُ الأَعْلَى بْنُ عَبْدِ الأَعْلَى، حَدَّثَنَا دَاوُدُ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدٍ، قَالَ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَصْرُخُ بِالْحَجِّ صُرَاخًا. فَلَمَّا قَدِمْنَا مَكَّةَ، أَمَرَنَا أَنْ نَجْعَلَهَا عُمْرَةً إِلاَّ مَنْ سَاقَ الْهَدْيَ. فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ، وَرُحْنَا إِلَى مِنًى، أَهْلَلْنَا بِالْحَجِّ.

[2640–212]. (Dar al-Salam 2873) Ḥajjāj ibn al-Shāʿir narrated: Muʿallā ibn Asad narrated; Wuhayb ibn Khālid narrated; from Dāwūd; from Abu Naḍrah; from Jābir and from Abu Saʿīd al-

Khudrī; both said: **‘We came with the Prophet (peace be upon him) declaring aloud our *iḥrām* for the hajj’.**

وَحَدَّثَنَا حَجَّاجُ بْنُ الشَّاعِرِ، حَدَّثَنَا مُعَلَّى بْنُ أَسَدٍ، حَدَّثَنَا وُهَيْبُ بْنُ خَالِدٍ، عَنْ دَاوُدَ، عَنْ أَبِي نَضْرَةَ، عَنْ جَابِرٍ، وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، رَضِيَ اللَّهُ عَنْهُمَا، قَالا: قَدِمْنَا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَنَحْنُ نَصْرُخُ بِالْحَجِّ صُرَاخًا.

[2641–000]. (Dar al-Salam 2874) Ḥāmid ibn ʿUmar al-Bakrāwī narrated to me: ʿAbd al-Wāḥid narrated; from ʿĀṣim; from Abu Naḍrah. He said: **‘I was at Jābir ibn ʿAbdullāh’s place when someone came over and said: “Ibn ʿAbbās and Ibn al-Zubayr expressed different opinions about the two *miṭʿahs*”. Jābir said: “We did them when we were with God’s Messenger (peace be upon him), but later ʿUmar told us not to do them and we never did them again”.’**

حَدَّثَنِي حَامِدُ بْنُ عُمَرَ الْبَكْرَاوِيُّ، حَدَّثَنَا عَبْدُ الْوَاحِدِ، عَنْ عَاصِمٍ، عَنْ أَبِي نَضْرَةَ، قَالَ: كُنْتُ عِنْدَ جَابِرِ بْنِ عَبْدِ اللهِ، فَأَتَاهُ آتٍ فَقَالَ: إِنَّ ابْنَ عَبَّاسٍ وَابْنَ الزُّبَيْرِ اخْتَلَفَا فِي الْـمُتْعَتَيْنِ، فَقَالَ جَابِرٌ فَعَلْنَاهُمَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، ثُمَّ نَهَانَا عَنْهُمَا عُمَرُ فَلَمْ نَعُدْ لَهُـمَا.

Text Explanation

The first two hadiths, No. 2637 and No. 2638 are understood to mean that Muʿāwiyah cut the Prophet's hair when he performed the ʿumrah, which he started at al-Jiʿrānah. In his Farewell Pilgrimage, the Prophet performed the hajj in the *qirān* method, as previously explained. It is confirmed that he shaved his head at Mina, and Abu Ṭalḥah distributed his hair to people. Therefore, we cannot say that this shortening of the Prophet's hair by Muʿāwiyah was done during the Farewell Pilgrimage. Nor may it apply to the compensatory ʿumrah the Prophet and his Companions did in the seventh year of the Prophet's migration to Madinah because Muʿāwiyah was not a Muslim at the time. He embraced Islam in the eighth year when Makkah fell to Islam. This is what is well known and authentic.

The claim that this took place during the Farewell Pilgrimage, adding that the Prophet did his pilgrimage in the *tamattuʿ* method, is grossly mistaken. There are numerous hadiths already mentioned in Muslim's *Ṣaḥīḥ* and those related in other anthologies stating that the Prophet was asked, how come other people released themselves from *iḥrām* and you have not? He said: 'I have fixed my hair and marked my sacrifice. Therefore, I cannot release myself from *iḥrām* until I have slaughtered my sacrifice'. In another version: 'until I release myself of the *iḥrām* for the hajj', but God knows best.

In hadith No. 2639 the Prophet's Companions are said to repeat their *talbiyah* aloud. This makes it clear that repeating aloud these phrases of responding to God's call to do the pilgrimage is desirable. This is agreed upon, provided that it is not too loud so as to hurt oneself. Women say the *talbiyah* in such a way that a woman hears herself, but not aloud like men because a woman's voice may be attractive. Saying the *talibyah* aloud is recommended according to all scholars, but those of the Ẓāhirī School say that it is a duty. The *talbiyah* is said aloud everywhere except in mosques other than the mosques of Makkah, Mina and Arafat. In other mosques, saying it aloud is subject to difference of opinion. Both views are expressed by al-Shāfiʿī and Mālik, and the more correct view is that saying it aloud is desirable as in the three mosques already mentioned. The other view is that it is said quietly so that one does not disturb other people. In the three

mentioned mosques, saying it aloud is acceptable because these are places where hajj rituals are done. The hadith also shows that it is perfectly appropriate to do the ʿumrah during the hajj months. It also supports al-Shāfiʿī's view that has been mentioned more than once, stating that a pilgrim doing the *tamattuʿ* method re-enters into the state of consecration, i.e., *iḥrām*, on the eighth of Dhul-Ḥijjah, the Day of al-Tarwiyah, when he proceeds to Mina.

The hadith also mentions: 'On the Day of al-Tarwiyah we declared the *iḥrām* for hajj as we were about to proceed to Mina'. We have already mentioned the different views regarding the time pilgrims proceed to Mina on the Day of al-Tarwiyah, whether early in the day or after midday.

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i. Related by al-Bukhari, 1730; Abu Dāwūd, 1802, 1803; al-Nasā'ī, 2736.

CHAPTER 34

THE PROPHET'S HAJJ DECLARATION AND SACRIFICE

[2642–213]. (Dar al-Salam 2875) Muhammad ibn Ḥātim narrated to me:[i] Ibn Mahdī narrated; Salīm ibn Ḥayyān narrated to me; from Marwān al-Aṣfar; from Anas; that **'ʿAlī came from Yemen. The Prophet asked him: "How did you declare?" He said: "I declared as the Prophet (peace be upon him) had declared". The Prophet said: "Were it not for the fact that I brought my sacrifice with me, I would have released myself".'**

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا ابْنُ مَهْدِيٍّ، حَدَّثَنِي سَلِيمُ بْنُ حَيَّانَ، عَنْ مَرْوَانَ الأَصْفَرِ، عَنْ أَنَسٍ، رَضِيَ اللهُ عَنْهُ، أَنَّ عَلِيًّا قَدِمَ مِنَ الْيَمَنِ، فَقَالَ لَهُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «بِمَ أَهْلَلْتَ»؟ فَقَالَ: أَهْلَلْتُ بِإِهْلاَلِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ: «لَوْلا أَنَّ مَعِيَ الْهَدْيَ لأَحْلَلْتُ».

[2643–000]. (Dar al-Salam[ii]) Ḥajjāj ibn al-Shāʿir narrated to me: ʿAbd al-Ṣamad narrated [H]. Also, ʿAbdullāh ibn Hāshim narrated to me; Bahz narrated; both said: Salīm ibn Ḥayyān narrated; with the same chain of transmission: **the same text.**

وَحَدَّثَنِيهِ حَجّاجُ بْنُ الشّاعِرِ، حَدَّثَنَا عَبْدُ الصَّمَدِ، ح. وَحَدَّثَنِي عَبْدُ اللهِ بْنُ هَاشِمٍ، حَدَّثَنَا بَهْزٌ، قَالا: حَدَّثَنَا سَلِيمُ بْنُ حَيَّانَ، بِهَذَا الإِسْنَادِ. مِثْلَهُ، غَيْرَ أَنَّ فِي رِوَايَةِ بَهْزٍ «لَحَلَلْتُ».

[2644–214]. (Dar al-Salam 2876) Yaḥyā ibn Yaḥyā narrated:[iii] Hushaym reported; from Yaḥyā ibn Abi Isḥāq, ʿAbd al-ʿAzīz ibn Ṣuhayb and Ḥumayd; that they heard Anas say: **‘I heard God’s Messenger (peace be upon him) declaring *iḥrām* for both of them together: “I respond to You with an ʿumrah and a hajj. I respond to You with an ʿumrah and a hajj [i.e. *Labbayka ʿumratan wa ḥajjā*]”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا هُشَيْمٌ، عَنْ يَحْيَى بْنِ أَبِي إِسْحَاقَ، وَعَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، وَحُمَيْدٍ أَنَّهُمْ سَمِعُوا أَنَسًا، رَضِيَ اللهُ عَنْهُ، قَالَ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَهَلَّ بِهِمَا جَمِيعًا: «لَبَّيْكَ عُمْرَةً وَحَجًّا، لَبَّيْكَ عُمْرَةً وَحَجًّا».

[2645–215]. (Dar al-Salam[iv]) ʿAlī ibn Ḥujr narrated to me: Ismāʿīl ibn Ibrāhīm reported; from Yaḥyā ibn Abi Isḥāq and Ḥumayd al-Ṭawīl; Yaḥyā said: I heard Anas say: **‘I heard the Prophet (peace be upon him) say: “I respond to You with an ʿumrah and a hajj, *labbayka ʿumratan wa ḥajjā*”.’**

And Ḥumayd said: I heard Anas say: **‘I heard God’s Messenger (peace be upon him) say: “I respond to You with an ʿumrah and a hajj, *labbayka bi ʿumratin wa ḥajj*”.’**[iv]

وَحَدَّثَنِيهِ عَلِيَّ بْنُ حُجْرٍ، اخْبَرَنَا إِسْمَاعِيلَ بْنُ إِبْرَاهِيمَ، عَنْ يَحْيَى بْنِ أَبِي إِسْحَاقَ، وَحُمَيْدٍ الطَّوِيلِ. قَالَ يَحْيَى: سَمِعْتُ أَنَسًا يَقُولُ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «لَبَّيْكَ عُمْرَةً وَحَجًّا».

وَقَالَ حُمَيْدٌ: قَالَ أَنَسٌ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «لَبَّيْكَ بِعُمْرَةٍ وَحَجٍّ».

[2646–216]. (Dar al-Salam 2877) Saʿīd ibn Manṣūr, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated: all from Ibn ʿUyaynah; Saʿīd said: Sufyān ibn ʿUyaynah narrated; al-Zuhrī narrated; from Ḥanẓalah al-Aslamī; he said: I heard Abu Hurayrah narrating from the Prophet (peace be upon him).He said: **‘By Him who holds my soul in His hand, Mary’s son shall declare his *iḥrām* at Fajj al-Rawḥā’, for the hajj or the ʿumrah, or shall combine them together’.**

وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَعَمْرٌو النَّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ سَعِيدٌ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنِي الزُّهْرِيُّ، عَنْ حَنْظَلَةَ الأَسْلَمِيِّ، قَالَ سَمِعْتُ أَبَا هُرَيْرَةَ، رَضِيَ اللهُ عَنْهُ، يُحَدِّثُ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ، لَيُهِلَّنَّ ابْنُ مَرْيَمَ بِفَجِّ الرَّوْحَاءِ حَاجًّا أَوْ مُعْتَمِرًا، أَوْ لَيَثْنِيَنَّهُمَا».

[2647–000]. (Dar al-Salam 2878) Qutaybah ibn Saʿīd narrated: Layth narrated; from Ibn Shihāb; with the same chain of transmission: **the same text, except that he said: ‘By Him who holds Muhammad’s soul in His hand’.**

وَحَدّثَنَاهُ قَتَيْبَةُ بْنُ سَعِيدٍ، حَدّثَنَا لَيْثٌ، عَنِ ابْنِ شِهَابٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ. قَالَ: «وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ».

Ḥarmalah ibn Yaḥyā narrated to me: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from Ḥanẓalah ibn ʿAlī al-Aslamī; that he heard Abu Hurayrah say: **‘God’s Messenger (peace be upon him) said: “By Him who holds my soul in His hand…”.’ the same text.**

وَحَدَّثَنِيهِ حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ حَنْظَلَةَ بْنِ عَلِيٍّ الأَسْلَمِيِّ، أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ، رَضِيَ اللهُ عَنْهُ، يَقُولُ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: وَالَّذِي نَفْسِي بِيَدِهِ ... بِمِثْلِ حَدِيثِهِمَا.

Text Explanation

Note: Imam al-Nawawī does not have anything to say about the first four hadiths in this chapter as his commentary in earlier chapters covers all that they include.

In hadith No. 2646 the Prophet speaks about Jesus' future hajj. This will be after Jesus' second coming at the end of time. The Prophet mentions that he will either do the hajj or the ʿumrah or both together. He will start his *iḥrām* at Fajj al-Rawḥā', which is between Makkah and Madinah. Abu Bakr al-Ḥārithī said that the Prophet passed through it on his way to Badr and to Makkah on both the occasions of taking Makkah over and doing the Farewell Pilgrimage.

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i. Related by al-Bukhari, 1558; al-Tirmidhī, 956.

ii. In Dar al-Salam's edition, this hadith is attached to the previous one, without a separate number.

iii. Related by Abu Dāwūd, 1795; al-Nasā'ī, 2728; Ibn Mājah, 2968.

iv. This hadith does not appear at all in Dar al-Salam's edition.

v. The difference in the spelling of the two phrases is due to case marking.

CHAPTER 35

THE PROPHET'S ʿUMRAHS AND THEIR TIMES

[2648–217]. (Dar al-Salam 2879) Haddāb ibn Khālid narrated:[i] Hammām narrated; Qatādah narrated; that Anas told him; that **'God's Messenger performed the ʿumrah four times, all of which were during [the month of] Dhul-Qaʿdah except the one alongside his hajj: one from or at the time of al-Ḥudaybiyah in Dhul-Qaʿdah, an ʿumrah in Dhul-Qaʿdah of the following year, an ʿumrah from Jiʿrānah in Dhul-Qaʿdah when he distributed the war gains of [the Battle of] Ḥunayn and an ʿumrah combined with his hajj'.**

حَدَّثَنَا هَدَّابُ بْنُ خَالِدٍ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا قَتَادَةُ، أَنَّ أَنَسًا، رَضِيَ اللهُ عَنْهُ، أَخْبَرَهُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ اعْتَمَرَ أَرْبَعَ عُمَرٍ، كُلُّهُنَّ فِي ذِي الْقَعْدَةِ، إِلاَّ الَّتِي مَعَ حَجَّتِهِ: عُمْرَةً مِنَ الْحُدَيْبِيَةِ أَوْ زَمَنَ الْحُدَيْبِيَةِ فِي ذِي الْقَعْدَةِ، وَعُمْرَةً مِنَ الْعَامِ الْـمُقْبِلِ فِي ذِي الْقَعْدَةِ، وَعُمْرَةً مِنْ جِعْرَانَةَ حَيْثُ قَسَمَ غَنَائِمَ حُنَيْنٍ فِي ذِي الْقَعْدَةِ، وَعُمْرَةً مَعَ حَجَّتِهِ.

[2649–000]. (Dar al-Salam 2880) Muhammad ibn al-Muthannā narrated: ʿAbd al-Ṣamad narrated to me; Hammām narrated; Qatādah narrated. He said: **‘I asked Anas: “How many times did God’s Messenger (peace be upon him) perform the hajj?” He said: “One hajj, and he performed the ʿumrah four times”.’ He added the same text as Haddāb’s narration.**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنِي عَبْدُ الصَّمَدِ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا قَتَادَةُ قَالَ: سَأَلْتُ أَنَسًا: كَمْ حَجَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: حَجَّةً وَاحِدَةً، وَاعْتَمَرَ أَرْبَعَ عُمَرٍ. ثُمَّ ذَكَرَ بِمِثْلِ حَدِيثِ هَدَّابٍ.

[2650–218]. (Dar al-Salam 2881) Zuhayr ibn Ḥarb narrated to me:[ii] al-Ḥasan ibn Mūsā narrated; Zuhayr reported; from Abu Isḥāq. He said: **‘I asked Zayd ibn Arqam: “On how many expeditions did you go with God’s Messenger (peace be upon him)?” He said: “Seventeen”. He added: “And Zayd ibn Arqam narrated to me that God’s Messenger (peace be upon him) went on nineteen expeditions. After his migration [to Madinah], he performed only one hajj - the Farewell Pilgrimage”.’**

Abu Isḥāq said: **‘And another hajj [when he was] in Makkah’.**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى، أَخْبَرَنَا زُهَيْرٌ، عَنْ أَبِي إِسْحَاقَ، قَالَ: سَأَلْتُ زَيْدَ بْنَ أَرْقَمَ: كَمْ غَزَوْتَ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: سَبْعَ عَشْرَةَ. قَالَ: وَحَدَّثَنِي زَيْدُ بْنُ أَرْقَمَ أَنَّ رَسُولَ اللهِ

صَلى اللهُ عَلَيْهِ وَسَلمَ غَزَا تِسْعَ عَشْرَةَ، وَانّهُ حَجّ بَعْدَ مَا هَاجَرَ حَجَّةً وَاحِدَةً، حَجَّةَ الْوَدَاعِ.

قَالَ أَبُو إِسْحَاقَ: وَبِمَكَّةَ أُخْرَى.

[2651–219]. (Dar al-Salam 2882) Ḥārūn ibn ʿAbdullāh narrated:[iii] Muhammad ibn Bakr al-Bursānī reported; Ibn Jurayj reported; I heard ʿAṭā’ reporting; he said: ʿUrwah ibn al-Zubayr said to me: **‘Ibn ʿUmar and I were leaning on [the wall of] ʿĀ’ishah’s apartment, hearing her brushing her teeth with a tooth stick. I said: “ʿAbd al-Raḥmān, did the Prophet (peace be upon him) perform the ʿumrah in Rajab?” He said: “Yes”. I said to ʿĀ’ishah: “Mother, do you hear what Abu ʿAbd al-Raḥmān is saying?” She said: “What is he saying?” I said: “He says that the Prophet performed the ʿumrah in Rajab”. She said: “May God forgive Abu ʿAbd al-Raḥmān. Upon my soul! He never performed the ʿumrah in Rajab. He never performed an ʿumrah without Abu ʿAbd al-Raḥmān being in his company”. Ibn ʿUmar was listening and he said neither no nor yes. He remained silent’.**

وَحَدَّثَنَا هَارُونُ بْنُ عَبْدِ اللهِ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ الْبُرْسَانِيُّ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، قَالَ سَمِعْتُ عَطَاءً يُخْبِرُ، قَالَ أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ، قَالَ: كُنْتُ أَنَا وَابْنُ عُمَرَ مُسْتَنِدَيْنِ إِلَى حُجْرَةِ عَائِشَةَ، وَإِنَّا لَنَسْمَعُ ضَرْبَهَا بِالسِّوَاكِ تَسْتَنُّ. قَالَ: فَقُلْتُ يَا أَبَا عَبْدِ الرَّحْمَنِ، أَعْتَمَرَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي رَجَبٍ؟ قَالَ نَعَمْ. فَقُلْتُ لِعَائِشَةَ: أَيْ أُمَّتَاهُ، أَلاَ تَسْمَعِينَ مَا يَقُولُ أَبُو عَبْدِ

الرَّحْمَنِ؟ قَالتْ: وَمَا يَقُولَ؟ قَلتُ: يَقُولَ اعْتَمَرَ النّبِيَّ صَلَّى اللَهُ عَلَيْهِ وَسَلَّمَ فِي رَجَبٍ. فَقَالَتْ: يَغْفِرُ اللهُ لأَبِي عَبْدِ الرَّحْمَنِ. لَعَمْرِي مَا اعْتَمَرَ فِي رَجَبٍ. وَمَا اعْتَمَرَ مِنْ عُمْرَةٍ، إِلاَّ وَإِنَّهُ لَمَعَهُ. قَالَ: وَابْنُ عُمَرَ يَسْمَعُ، فَمَا قَالَ لا، وَلا نَعَمْ. سَكَتَ.

[2652–220]. (Dar al-Salam 2883) Isḥāq ibn Ibrāhīm narrated:[iv] Jarīr reported; from Manṣūr; from Mujāhid. He said: **‘I entered the mosque with ʿUrwah ibn al-Zubayr. ʿAbdullāh ibn ʿUmar was sitting there next to ʿĀ’ishah’s apartment, while people were offering the Ḍuḥā Prayer in the mosque. We asked him about their prayer, and he said that it is a deviation [i.e., *bidʿah*]. ʿUrwah said: “Abu ʿAbd al-Raḥmān, how many times did God’s Messenger (peace be upon him) perform the ʿumrah?” He said: “Four ʿumrahs, one of which was in Rajab”. We disliked to say he was wrong or to argue with him. We heard ʿĀ’ishah brushing her teeth in her apartment. ʿUrwah said: “Mother of the Believers, do you hear what Abu ʿAbd al-Raḥmān is saying?” She asked: “What is he saying?” He said: “He is saying that the Prophet (peace be upon him) performed the ʿumrah four times, one of which was during Rajab”. She said: “May God bestow His grace on Abu ʿAbd al-Raḥmān. Every time God’s Messenger performed the ʿumrah, he was with him. He never performed the ʿumrah in Rajab”.’**

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، قَالَ: دَخَلْتُ أَنَا وَعُرْوَةُ بْنُ الزُّبَيْرِ الْـمَسْجِدَ، فَإِذَا عَبْدُ اللهِ بْنُ عُمَرَ جَالِسٌ إِلَى حُجْرَةِ عَائِشَةَ، وَالنَّاسُ يُصَلُّونَ الضُّحَى فِي الْـمَسْجِدِ. فَسَأَلْنَاهُ عَنْ صَلاَتِهِمْ،

فَقَالَ بِدْعَةٌ. فَقَالَ لهُ عُرْوَةُ: يَا ابَا عَبْدِ الرَّحْمَنِ، كَمِ اعْتَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ فَقَالَ أَرْبَعَ عُمَرٍ، إِحْدَاهُنَّ فِي رَجَبٍ. فَكَرِهْنَا أَنْ نُكَذِّبَهُ، وَنَرُدَّ عَلَيْهِ. وَسَمِعْنَا اسْتِنَانَ عَائِشَةَ فِي الْحُجْرَةِ. فَقَالَ عُرْوَةُ: أَلاَ تَسْمَعِينَ يَا أُمَّ الْـمُؤْمِنِينَ إِلَى مَا يَقُولُ أَبُو عَبْدِ الرَّحْمَنِ؟ فَقَالَتْ: وَمَا يَقُولُ؟ قَالَ: يَقُولُ اعْتَمَرَ النَّبِيُّ صَلَّى اللَهُ عَلَيْهِ وَسَلَّمَ أَرْبَعَ عُمَرٍ إِحْدَاهُنَّ فِي رَجَبٍ. فَقَالَتْ: يَرْحَمُ اللهُ أَبَا عَبْدِ الرَّحْمَنِ، مَا اعْتَمَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِلاَّ وَهُوَ مَعَهُ. وَمَا اعْتَمَرَ فِي رَجَبٍ قَطُّ.

Text Explanation

These hadiths speak about the number and times of the Prophet's ʿumrahs. What is gathered from Anas' and Ibn ʿUmar's reports is that they agree that the Prophet did the ʿumrah four times. The first was during the month of Dhul-Qaʿdah in the sixth year of the Prophet's migration. This was at the time of al-Ḥudaybiyah, when they were prevented entry into Makkah and released themselves from *iḥrām*. This was, however, counted as ʿumrah for them. The second was the compensatory ʿumrah in Dhul-Qaʿdah of the following year. The third was in the same month of the eighth year when Makkah was taken over by the Prophet. The fourth was the one combined with his hajj. Its *iḥrām* was in Dhul-Qaʿdah and its duties were performed in Dhul-Ḥijjah.

Ibn ʿUmar said that one ʿumrah was in Rajab, but ʿĀ'ishah dis-agreed and Ibn ʿUmar remained silent when he heard her statement. Scholars hold that this shows that he must have forgotten or was in doubt or confused. Hence, he did not argue with ʿĀ'ishah. What she said was the truth that must be upheld. *Qadi* ʿIyāḍ said:

> Anas mentioned that the fourth ʿumrah was the one the Prophet did with his hajj, which shows that he did the *qirān*. However, many of the Prophet's Companions disagree. We have already said that the Prophet performed his hajj in the *ifrād* method, which refutes what Anas said. As ʿĀ'ishah also refuted what Ibn ʿUmar said, the fact is that he did three ʿumrahs. It is not known that the Prophet did any ʿumrah other than what we have said… Mālik confirms in *al-Muwaṭṭa'* that they were three ʿumrahs.

What *Qadi* ʿIyāḍ has said here is unsound, indeed wrong. The fact is that the Prophet performed the ʿumrah four times, as clearly and categorically stated by both Ibn ʿUmar and Anas. Their reports cannot be rejected without a categorical and decisive basis. His statement that the Prophet did the *ifrād* hajj, not the *qirān*, is also wrong. The fact is that he started his *iḥrām* in the *ifrād* method, then he declared *iḥrām* for the ʿumrah which meant that he changed to the *qirān* method. This explanation is absolutely necessary, but

God knows best. Scholars said that the Prophet did these ʿumrahs in Dhul-Qaʿdah because of the special status of this month and to do the opposite of what the unbelievers upheld. As mentioned earlier, they considered performing the ʿumrah in the hajj months to be a very grave sin. Therefore, the Prophet did it several times in these months to stress the fact that it is permissible, and to put an absolute end to what was practised in the pre-Islamic days of ignorance, but God knows best.

In hadith No. 2649 Anas says that the Prophet performed only one hajj. This means that after migrating to Madinah, the Prophet performed the hajj once only, which was the Farewell Pilgrimage, in the tenth year of his migration. In hadith No. 2650 Abu Isḥāq says that the Prophet did another hajj in Makkah. This means that his other hajj was performed whilst still living in Makkah, before his migration. It is also reported in Hadith anthologies other than Muslim's that he did the hajj twice whilst in Makkah.

In the same hadith, No. 2650 Zayd ibn Arqam mentions that God's Messenger (peace be upon him) went on nineteen expeditions. This means that he did these nineteen and I was with him, or that I know of nineteen expeditions he did. The total number of his expeditions was twenty-five, but they are also stated to be twenty-seven, and other figures are also mentioned. They are well-known in the relevant books.

In hadith No. 2651 ʿĀ'ishah says: 'Upon my soul, he never performed the ʿumrah in Rajab'. This serves as evidence that it is permissible for a person to say, 'upon my soul'. Mālik disapproves of it because it gives great importance to someone other than God and because it is akin to making an oath by something other than God.

In the last hadith, No. 2652 Ibn ʿUmar answered his questioner who asked him about the prayer of those who were offering the mid-morning voluntary prayer in the mosque by saying that it is a *bidʿah*, which means deviation. *Qadi* ʿIyāḍ and other scholars understand this as meaning that offering it in the mosque and meeting there to offer it is a deviation. He did not mean that the very prayer is a *bidʿah*. This point was discussed in the Book of Prayer, but God knows best.

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i. Related by al-Bukhari, 1778, 1779, 1780, 3066, 4148; Abu Dāwūd, 1994; al-Tirmidhī, 815.

ii. Related by al-Bukhari, 3949, 4404, 4471; al-Tirmidhī, 1676.

iii. Related by al-Bukhari in a shorter and similar version, 1776; al-Tirmidhī in a shorter and similar version, 936; Ibn Mājah in a shorter and similar version, 2998.

iv. Related by al-Bukhari, 1775, 4253; Abu Dāwūd in a shorter version, 1992; al-Tirmidhī in a shorter version 937.

CHAPTER 36

ʿUMRAH DURING RAMADAN

[2653–221]. (Dar al-Salam 2884) Muhammad ibn Ḥātim ibn Maymūn narrated to me:[i] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; he said: ʿAṭā’ reported to me; he said: I heard Ibn ʿAbbās narrating to us; he said: **‘God’s Messenger (peace be upon him) said to a woman from the Anṣār (Ibn ʿAbbās mentioned her name but I forgot it): “What stopped you from offering the hajj with us?” She said: “We have only two camels we use for irrigation. My husband and son used one for their hajj and they left us the other for our use”. He said: “Then perform the ʿumrah next Ramadan, for an ʿumrah during Ramadan is equal to a hajj”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمِ بْنِ مَيْمُونٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، قَالَ أَخْبَرَنِي عَطَاءٌ، قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ يُحَدِّثُنَا، قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِامْرَأَةٍ مِنَ الأَنْصَارِ، سَمَّاهَا ابْنُ عَبَّاسٍ فَنَسِيتُ اسْمَهَا: «مَا مَنَعَكِ أَنْ تَحُجِّي مَعَنَا»؟ قَالَتْ: لَمْ يَكُنْ لَنَا إِلاَّ نَاضِحَانِ، فَحَجَّ أَبُو وَلَدِهَا وَابْنُهَا عَلَى نَاضِحٍ، وَتَرَكَ لَنَا نَاضِحًا نَنْضِحُ عَلَيْهِ. قَالَ: «فَإِذَا جَاءَ رَمَضَانُ فَاعْتَمِرِي، فَإِنَّ عُمْرَةً فِيهِ تَعْدِلُ حَجَّةً».

[2654–222]. (Dar al-Salam 2885) Ahmad ibn ʿAbdah al-Ḍabbī narrated:[ii] Yazīd (meaning Ibn Zurayʿ) narrated; Ḥabīb al-Muʿallim narrated; from ʿAṭā’; from Ibn ʿAbbās; that **‘The Prophet (peace be upon him) said to a woman from the Anṣār called Umm Sinān: “What prevented you from performing the hajj with us?” She said: “Abu so-and-so (her husband) has two camels we use for irrigation. He used one for him and his son to go on the hajj and left the other for our servant to use for irrigation”. The Prophet said: “An ʿumrah in Ramadan compensates for a hajj, or a hajj with me”.’**

وَحَدَّثَنَا أَحْمَدُ بْنُ عَبْدَةَ الضَّبِّيُّ، حَدَّثَنَا يَزِيدُ (يَعْنِي ابْنَ زُرَيْعٍ)، حَدَّثَنَا حَبِيبٌ الْـمُعَلِّمُ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ لِامْرَأَةٍ مِنَ الأَنْصَارِ يُقَالُ لَهَا أُمُّ سِنَانٍ: «مَا مَنَعَكِ أَنْ تَكُونِي حَجَجْتِ مَعَنَا»؟ قَالَتْ: نَاضِحَانِ كَانَا لأَبِي فُلاَنٍ - زَوْجِهَا - حَجَّ هُوَ وَابْنُهُ عَلَى أَحَدِهِمَا، وَكَانَ الآخَرُ يَسْقِي عَلَيْهِ غُلاَمُنَا. قَالَ: «فَعُمْرَةٌ فِي رَمَضَانَ تَقْضِي حَجَّةً. أَوْ حَجَّةً مَعِي».

Text Explanation

In the first hadith, No. 2653 the Prophet says that an ʿumrah during Ramadan ‘is equal to a hajj’, and in the second he says that it ‘compensates for a hajj’. This means that an ʿumrah in Ramadan is given a reward equal to that of a hajj. It does not mean that it is equal to a hajj in everything. If a person has a duty to perform the hajj and he performs an ʿumrah during Ramadan, his ʿumrah does not fulfil the duty that is required. He must still do it, but he receives for his ʿumrah during Ramadan the reward of a hajj.

In the second hadith, No. 2654 Umm Sinān tells the Prophet that the other camel they had is ‘for our servant to use for irrigation’. This is how the hadith wording occurs in the copies in our areas, and *Qadi* ʿIyāḍ mentions it in the same way as narrated by ʿAbd al-Ghāfir al-Fārisī and others. He then comments: ‘In my view, this is a misspelling, and the correct text should be: “we use to irrigate our date farm”. And this is how it occurs in al-Bukhari’s *Ṣaḥīḥ*’. Our view is that Muslim’s narration is correct, and the addition mentioned by *Qadi* ʿIyāḍ is abridged but understood. This often occurs in speech, but God knows best.

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i. Related by al-Bukhari, 1782; al-Nasā’ī in a shorter version; 2109.

ii. Related by al-Bukhari, 1863.

CHAPTER 37

CHANGING ROUTE WHEN ENTERING AND LEAVING A TOWN

[2655–223]. (Dar al-Salam 2886) Abu Bakr ibn Abi Shaybah narrated:[i] ʿAbdullāh ibn Numayr narrated [H]. Also, Ibn Numayr narrated; my father narrated; ʿUbaydullāh narrated; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) used to leave [Madinah] through the Tree Way and enter it through al-Muʿarras Way. When he went to Makkah, he would enter through the higher path and leave it through the lower path’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَخْرُجُ مِنْ طَرِيقِ الشَّجَرَةِ، وَيَدْخُلُ مِنْ طَرِيقِ الْـمُعَرَّسِ. وَإِذَا دَخَلَ مَكَّةَ دَخَلَ مِنَ الثَّنِيَّةِ الْعُلْيَا، وَيَخْرُجُ مِنَ الثَّنِيَّةِ السُّفْلَى.

[2656–000]. (Dar al-Salam[ii]) Zuhayr ibn Ḥarb and Muhammad ibn al-Muthannā narrated: both said: Yaḥyā (who is al-Qaṭṭān) narrated; from ʿUbaydullāh; with the same chain of transmission: **the same**

text, but in Zuhayr's version it has an addition: 'The higher path which is at al-Baṭḥā''.

وَحَدَّثَنِيهِ زُهَيْرُ بْنُ حَرْبٍ، وَمُحَمَّدُ بْنُ الْـمُثَنَّى، قَالا: حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ)، عَنْ عُبَيْدِ اللهِ، بِهَذَا الإِسْنَادِ. وَقَالَ فِي رِوَايَةِ زُهَيْرٍ: الْعُلْيَا الَّتِي بِالْبَطْحَاءِ.

[2657–224]. (Dar al-Salam 2887) Muhammad ibn al-Muthannā and Ibn Abi ʿUmar narrated:[iii] both from Ibn ʿUyaynah; Ibn al-Muthannā said: Sufyān narrated; from Hishām ibn ʿUrwah; from his father; from ʿĀ'ishah; that **'When the Prophet went to Makkah, he entered it from the higher side and left it from the lower side'.**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا سُفْيَانُ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمَّا جَاءَ إِلَى مَكَّةَ دَخَلَهَا مِنْ أَعْلاَهَا، وَخَرَجَ مِنْ أَسْفَلِهَا.

[2658–225]. (Dar al-Salam 2888) Abu Kurayb narrated:[iv] Abu Usāmah narrated: from Hishām; from his father; from ʿĀ'ishah; that **'God's Messenger (peace be upon him) entered Makkah in the year of its takeover from Kadā' on its higher side'.**

Hishām said: **'My father used to enter from both sides, but he more often entered from Kadā''.**

وَحَدّثَنَا ابُو كرَيْبٍ، حَدّثَنَا ابُو اسَامَةَ، عَنْ هِشَامٍ، عَنْ ابِيهِ، عَنْ عَائِشَةَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ دَخَلَ عَامَ الْفَتْحِ مِنْ كَدَاءٍ مِنْ أَعْلَى مَكَّةَ.

قَالَ هِشَامٌ: فَكَانَ أَبِي يَدْخُلُ مِنْهُمَا كِلَيْهِمَا، وَكَانَ أَبِي أَكْثَرَ مَا يَدْخُلُ مِنْ كَدَاءٍ.

Text Explanation

The first hadith, No. 2655 mentions that the Prophet changed his route when entering and leaving Madinah or Makkah. The Prophet did this as a gesture of optimism, hoping that things had improved. He did the same at the time of Eid, going to the prayer place and taking a different route on his return. Another reason is that both routes would be his witnesses, and that the people along them would have the blessing of meeting him.

The view of our Shāfiʿī School is that it is desirable to enter Makkah through the higher path and leave it through the lower path, as this hadith indicates. There is no difference whether a path is on one's route, as is the case of the higher path for travellers from Madinah and Syria, or is not on one's route, as is the case for travellers from Yemen. Thus, a Yemeni traveller and others in similar situations are recommended to go round and enter Makkah through the higher path. Some of our scholars say that the Prophet entered through the higher path because it was on his route, and that it is not desirable to come to it if it is not on a traveller's route. However, this view lacks sound basis, and the correct view is the first one. Thus, it is desirable for travellers to leave their hometown through one route and return through a different route, as this hadith indicates.

Al-Muʿarras is a well-known place around six Arabian miles from Madinah. Al-Baṭḥā' is an open area close to al-Muḥaṣṣab. Kadā' is the path which is at the higher side of Makkah. It is different from Kudayy, which is on the way of people leaving Makkah to go south towards Yemen.

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i. Related by al-Bukhari in a shorter version, 1576; Abu Dāwūd, 1866; al-Nasā'ī, 2865.

ii. In Dar al-Salam's edition, this hadith is not given a number as it is attached to the previous hadith.

iii. Related by al-Bukhari, 1577; Abu Dāwūd, 1869; al-Tirmidhī, 853.

iv. Related by al-Bukhari, 1578; Abu Dāwūd, 1868.

CHAPTER 38

WHEN TO ENTER MAKKAH

[2659–226]. (Dar al-Salam 2889) Zuhayr ibn Ḥarb and ʿUbaydullāh ibn Saʿīd narrated to me:[i] both said: Yaḥyā (who is al-Qaṭṭān) narrated; from ʿUbaydullāh; Nāfiʿ reported to me; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) stayed the night until the morning at Dhu Ṭawā, then entered Makkah’.**

He added: ‘ʿAbdullāh used to do that’.

In Ibn Saʿīd’s narration: **‘Until he prayed Fajr’.**

Yaḥyā said: **‘Or he said: until the morning’.**

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، وَعُبَيْدُ اللهِ بْنُ سَعِيدٍ، قَالا: حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ)، عَنْ عُبَيْدِ اللهِ، أَخْبَرَنِي نَافِعٌ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَاتَ بِذِي طَوًى حَتَّى أَصْبَحَ، ثُمَّ دَخَلَ مَكَّةَ.

قَالَ: وَكَانَ عَبْدُ اللهِ يَفْعَلُ ذَلِكَ. وَفِي رِوَايَةِ ابْنِ سَعِيدٍ حَتَّى صَلَّى الصُّبْحَ.

قَالَ يَحْيَى: أَوْ قَالَ حَتَّى أَصْبَحَ.

[2660–227]. (Dar al-Salam 2890) Abu al-Rabīʿ al-Zahrānī narrated:[ii] Ḥammād narrated; Ayyūb narrated; from Nāfiʿ; that

‘Whenever Ibn ʿUmar came to Makkah, he would stay the night at Dhu Ṭawā until the morning when he would take a bath and enter Makkah during the day. He used to say that the Prophet (peace be upon him) did this’.

وَحَدَّثَنَا أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، حَدَّثَنَا حَمَّادٌ، حَدَّثَنَا أَيُّوبُ، عَنْ نَافِعٍ، أَنَّ ابْنَ عُمَرَ كَانَ لاَ يَقْدَمُ مَكَّةَ إِلاَّ بَاتَ بِذِي طَوًى حَتَّى يُصْبِحَ وَيَغْتَسِلَ، ثُمَّ يَدْخُلُ مَكَّةَ نَهَارًا. وَيَذْكُرُ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ فَعَلَهُ.

[2661–228]. (Dar al-Salam 2891) Muhammad ibn Isḥāq al-Musayyabī narrated:[iii] Anas (meaning Ibn ʿIyāḍ) narrated to me; from Mūsā ibn ʿUqbah; from Nāfiʿ; that ʿAbdullāh narrated to him that **‘When God’s Messenger (peace be upon him) went to Makkah, he would stop at Dhu Ṭawā where he would stay until he had prayed the Fajr Prayer, then enter Makkah. The Prophet’s prayer place was on a hard knoll. It was not at the spot where a mosque was later built, but some distance below it on a hard knoll’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ الْـمُسَيَّبِيُّ، حَدَّثَنِي أَنَسٌ (يَعْنِي ابْنَ عِيَاضٍ)، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، أَنَّ عَبْدَ اللهِ حَدَّثَهُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَنْزِلُ بِذِي طَوًى، وَيَبِيتُ بِهِ حَتَّى يُصَلِّيَ الصُّبْحَ حِينَ يَقْدَمُ مَكَّةَ. وَمُصَلَّى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ذَلِكَ عَلَى أَكَمَةٍ غَلِيظَةٍ، لَيْسَ فِي الْـمَسْجِدِ الَّذِي بُنِيَ ثَمَّ، وَلَكِنْ أَسْفَلَ مِنْ ذَلِكَ عَلَى أَكَمَةٍ غَلِيظَةٍ.

[2662–229]. (Dar al-Salam 2892) Muhammad ibn Isḥāq al-Musayyabī narrated:[iv] Anas (meaning Ibn ʿIyāḍ) narrated to me; from Mūsā ibn ʿUqbah; from Nāfiʿ; that ʿAbdullāh reported to him that **‘God’s Messenger faced the two paths at the mountain between him and the long mountain, in the direction of the Kaʿbah. He thus placed the mosque that was later built there to the left of the mosque, which is now to the side of the knoll. God’s Messenger’s prayer place was lower, on the black knoll, leaving ten arm lengths, or something similar. He was thus facing the mountain paths in the direction of the long mountain between him and the Kaʿbah’.**

حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ الْـمُسَيَّبِيُّ، حَدَّثَنِي أَنَسٌ (يَعْنِي ابْنَ عِيَاضٍ)، عَنْ مُوسَى، بْنِ عُقْبَةَ عَنْ نَافِعٍ، أَنَّ عَبْدَ اللهِ، أَخْبَرَهُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ اسْتَقْبَلَ فُرْضَتَيِ الْجَبَلِ الَّذِي بَيْنَهُ وَبَيْنَ الْجَبَلِ الطَّوِيلِ نَحْوَ الْكَعْبَةِ، يَجْعَلُ الْـمَسْجِدَ الَّذِي بُنِيَ ثَمَّ يَسَارَ الْـمَسْجِدِ الَّذِي بِطَرَفِ الأَكَمَةِ. وَمُصَلَّى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَسْفَلَ مِنْهُ، عَلَى الأَكَمَةِ السَّوْدَاءِ، يَدَعُ مِنَ الأَكَمَةِ عَشْرَ أَذْرُعٍ أَوْ نَحْوَهَا، ثُمَّ يُصَلِّي مُسْتَقْبِلَ الْفُرْضَتَيْنِ مِنَ الْجَبَلِ الطَّوِيلِ الَّذِي بَيْنَكَ وَبَيْنَ الْكَعْبَةِ. صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

These hadiths give us some interesting points, such as taking a bath before entering Makkah, and this may be done at Dhū Ṭawā, if it is on one's way, and at a similar distance if one is coming from a different direction. Our scholars say that taking this bath is recommended, i.e., sunnah. If one is unable to do it, one may do the dry ablution, i.e., *tayammum*. Another thing to do is to stay the night at Dhū Ṭawā, which is desirable if it is on one's way. It is a well-known place close to Makkah.

It is also recommended to enter Makkah during the day. This is correct and agreed upon by the majority of our and other scholars. They maintain that it is better than entering at night. Some of our scholars and some of the earlier generations said that to enter at night or during the day are equally good, and neither is to be preferred. It is confirmed that when the Prophet performed the ʿumrah which he started at al-Jiʿrānah[v], he entered Makkah in *iḥrām* at night. Scholars who maintain the first view suggest that the Prophet did the latter one to show that entering Makkah at night is permissible, but God knows best.

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i. Related by al-Bukhari, 1574.

ii. Related by al-Bukhari, 1553 [this is a longer version], 1573, 1769; Abu Dāwūd, 1865.

iii. Related by al-Bukhari in a similar version, 484; al-Nasā'ī, 2862.

iv. Related by al-Bukhari, 492.

v. This was the ʿumrah he performed after the takeover of Makkah in year 8 AH/630 CE.

CHAPTER 39

JOGGING IN *ṬAWĀF*

[2663–230]. (Dar al-Salam 2893) Abu Bakr ibn Abi Shaybah narrated: ʿAbdullāh ibn Numayr narrated [H]. Ibn Numayr narrated; my father narrated; ʿUbaydullāh narrated; from Nāfiʿ; from Ibn ʿUmar; that **‘When God’s Messenger (peace be upon him) performed the first *ṭawāf* at the Kaʿbah, he used to jog the first three rounds and walk the other four. He would jog at the bottom of the valley when he performed the *saʿī* between al-Ṣafa and al-Marwah. Ibn ʿUmar also used to do this’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا طَافَ بِالْبَيْتِ الطَّوَافَ الأَوَّلَ خَبَّ ثَلاَثًا، وَمَشَى أَرْبَعًا. وَكَانَ يَسْعَى بِبَطْنِ الْـمَسِيلِ، إِذَا طَافَ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. وَكَانَ ابْنُ عُمَرَ يَفْعَلُ ذَلِكَ.

[2664–231]. (Dar al-Salam 2894) Muhammad ibn ʿAbbād narrated:[i] Ḥātim (meaning Ibn Ismāʿīl) narrated; from Mūsā ibn ʿUqbah; from Nāfiʿ; from ʿUmar; that **‘When God’s Messenger (peace be upon him) performed the *ṭawāf* on arrival for the hajj or the ʿumrah, he would jog the first three rounds of the *ṭawāf***

at the Kaʿbah and walk the other four. He would then pray two *rakʿahs* and then do the *saʿī* between al-Ṣafa and al-Marwah’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ عَبَّادٍ، حَدَّثَنَا حَاتِمٌ (يَعْنِي ابْنَ إِسْمَاعِيلَ)، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا طَافَ فِي الْحَجِّ وَالْعُمْرَةِ أَوَّلَ مَا يَقْدَمُ، فَإِنَّهُ يَسْعَى ثَلَاثَةَ أَطْوَافٍ بِالْبَيْتِ، ثُمَّ يَمْشِي أَرْبَعَةً. ثُمَّ يُصَلِّي سَجْدَتَيْنِ، ثُمَّ يَطُوفُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ.

[2665–232]. (Dar al-Salam 2895) Abu al-Ṭāhir and Ḥarmalah ibn Yaḥyā narrated to me:[ii] Ḥarmalah said: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; that Sālim ibn ʿAbdullāh reported to him; that ʿAbdullāh ibn ʿUmar said: **‘I saw God’s Messenger (peace be upon him) as he arrived in Makkah. When he had wiped the Black Stone at the beginning of his *ṭawāf* on arrival, he jogged for three rounds of the seven’.**

وَحَدَّثَنِي أَبُو الطَّاهِرِ، وَحَرْمَلَةُ بْنُ يَحْيَى، قَالَ حَرْمَلَةُ: أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَنَّ سَالِمَ بْنَ عَبْدِ اللهِ، أَخْبَرَهُ أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ قَالَ: رَأَيْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حِينَ يَقْدَمُ مَكَّةَ، إِذَا اسْتَلَمَ الرُّكْنَ الأَسْوَدَ أَوَّلَ مَا يَطُوفُ حِينَ يَقْدَمُ، يَخُبُّ ثَلَاثَةَ أَطْوَافٍ مِنَ السَّبْعِ.

[2666–233]. (Dar al-Salam 2896) ʿAbdullāh ibn ʿUmar ibn Abān al-Juʿfī narrated: Ibn al-Mubārak narrated; ʿUbaydullāh reported; from Nāfiʿ; from Ibn ʿUmar. He said: **‘God’s Messenger jogged**

from the Black Stone and back to it three times, and then walked four’.

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ عُمَرَ بْنِ أَبَانٍ الْجُعْفِيُّ، حَدَّثَنَا ابْنُ الْـمُبَارَكِ، أَخْبَرَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، رَضِيَ اللهُ عَنْهُمَا، قَالَ: رَمَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، مِنَ الْحَجَرِ إِلَى الْحَجَرِ، ثَلاَثًا، وَمَشَى أَرْبَعًا.

[2667–234]. (Dar al-Salam 2897) Abu Kāmil al-Jaḥdarī narrated:[iii] Sulaym ibn Akhḍar narrated; ʿUbaydullāh ibn ʿUmar narrated; from Nāfiʿ; that **‘Ibn ʿUmar jogged from the Black Stone and back to it. He mentioned that God’s Messenger (peace be upon him) did that’.**

وَحَدَّثَنَا أَبُو كَامِلٍ الْجَحْدَرِيُّ، حَدَّثَنَا سُلَيْمُ بْنُ أَخْضَرَ، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، أَنَّ ابْنَ عُمَرَ رَمَلَ مِنَ الْحَجَرِ إِلَى الْحَجَرِ، وَذَكَرَ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَعَلَهُ.

[2668–235]. (Dar al-Salam 2898) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[iv] Mālik narrated [H]. Yaḥyā ibn Yaḥyā narrated (his text); he said: I read out to Mālik; from Jaʿfar ibn Muhammad; from his father; from Jābir ibn ʿAbdullāh; that he said: **‘I saw God’s Messenger jogging from the Black Stone until he returned to it, three rounds’.**

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا مَالِكٌ، ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، (وَاللَّفْظُ لَهُ) قَالَ: قَرَأْتُ عَلَى

مَالِكٍ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ اَبِيهِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، رَضِيَ اللهُ عَنْهُمَا، أَنَّهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَمَلَ مِنَ الْحَجَرِ الأَسْوَدِ حَتَّى انْتَهَى إِلَيْهِ، ثَلاَثَةَ أَطْوَافٍ.

[2669–236]. (Dar al-Salam 2899) Abu al-Ṭāhir narrated to me: ʿAbdullāh ibn Wahb reported; Mālik and Ibn Jurayj reported to me; from Jaʿfar ibn Muhammad; from his father; from Jābir ibn ʿAbdullāh; that **‘God’s Messenger (peace be upon him) jogged for three rounds, from the Black Stone and back to it’.**

وَحَدَّثَنِي أَبُو الطَّاهِرِ، أَخْبَرَنَا عَبْدُ اللهِ بْنُ وَهْبٍ، أَخْبَرَنِي مَالِكٌ، وَابْنُ جُرَيْجٍ، عَنْ جَعْفَرِ بْنِ مُحَمَّدٍ، عَنْ أَبِيهِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَمَلَ الثَّلاَثَةَ أَطْوَافٍ، مِنَ الْحَجَرِ إِلَى الْحَجَرِ.

[2670–237]. (Dar al-Salam 2900) Abu Kāmil Fuḍayl ibn Ḥusayn al-Jaḥdarī narrated:[v] ʿAbd al-Wāḥid ibn Ziyād narrated; al-Jurayrī narrated; from Abu al-Ṭufayl. He said: **‘I said to Ibn ʿAbbās: “What do you say about this jogging for three rounds at the Kaʿbah and walking four rounds – is it a sunnah? Your people claim that it is a sunnah”. He said: “They are right and they lie”. I said: “What do you mean, saying they are right and they lie?” He said: “God’s Messenger (peace be upon him) arrived in Makkah. The unbelievers said that Muhammad and his Companions are unable to do the *ṭawāf* at the Kaʿbah due to their weakness. They envied him. God’s Messenger ordered them [i.e., his Companions] to jog three rounds and walk four”. I said to him: “Tell me about riding during the *saʿi* between al-**

Ṣafa and al-Marwah – is it a sunnah? Your people claim that it is a sunnah”. He said: “They are right and they lie”. I said: “What do you mean, saying they are right and they lie?” He said: “People gathered in large numbers around God’s Messenger, saying: ‘This is Muhammad, this is Muhammad’. Even women kept indoors came out. People were not pushed around in front of God’s Messenger (peace be upon him). When the crowd became heavy, he rode. To walk and jog is preferable”.’

حَدَّثَنَا أَبُو كَامِلٍ، فُضَيْلُ بْنُ حُسَيْنٍ الْجَحْدَرِيُّ حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ زِيَادٍ، حَدَّثَنَا الْجُرَيْرِيُّ، عَنْ أَبِي الطُّفَيْلِ، قَالَ: قُلْتُ لِابْنِ عَبَّاسٍ: أَرَأَيْتَ هَذَا الرَّمَلَ بِالْبَيْتِ ثَلاَثَةَ أَطْوَافٍ، وَمَشْيَ أَرْبَعَةِ أَطْوَافٍ، أَسُنَّةٌ هُوَ؟ فَإِنَّ قَوْمَكَ يَزْعُمُونَ أَنَّهُ سُنَّةٌ. قَالَ: فَقَالَ صَدَقُوا وَكَذَبُوا. قَالَ: قُلْتُ مَا قَوْلُكَ صَدَقُوا وَكَذَبُوا؟ قَالَ إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَدِمَ مَكَّةَ، فَقَالَ الْـمُشْرِكُونَ إِنَّ مُحَمَّدًا وَأَصْحَابَهُ لاَ يَسْتَطِيعُونَ أَنْ يَطُوفُوا بِالْبَيْتِ مِنَ الْهُزَالِ، وَكَانُوا يَحْسُدُونَهُ. قَالَ فَأَمَرَهُمْ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَرْمُلُوا ثَلاَثًا وَيَمْشُوا أَرْبَعًا. قَالَ: قُلْتُ لَهُ أَخْبِرْنِي عَنِ الطَّوَافِ بَيْنَ الصَّفَا وَالْـمَرْوَةِ رَاكِبًا، أَسُنَّةٌ هُوَ؟ فَإِنَّ قَوْمَكَ يَزْعُمُونَ أَنَّهُ سُنَّةٌ. قَالَ: صَدَقُوا وَكَذَبُوا. قَالَ: قُلْتُ وَمَا قَوْلُكَ صَدَقُوا وَكَذَبُوا؟ قَالَ إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَثُرَ عَلَيْهِ النَّاسُ يَقُولُونَ: هَذَا مُحَمَّدٌ، هَذَا مُحَمَّدٌ. حَتَّى خَرَجَ الْعَوَاتِقُ مِنَ الْبُيُوتِ. قَالَ: وَكَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لا يُضْرَبُ النَّاسُ

بَيْنَ يَدَيْهِ، فَلَمَّا كَثُرَ عَلَيْهِ رَكِبَ، وَالـمَشْيُ وَالسَّعْيُ أَفْضَلُ.

[2671–000]. (Dar al-Salam 2901) Muhammad ibn al-Mutannā narrated: Yazīd narrated; al-Jurayrī narrated; with the same chain of transmission: **a similar text, but he said: ‘The people of Makkah were envious people’ but did not say ‘they envied him’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا يَزِيدُ، أَخْبَرَنَا الْجُرَيْرِيُّ، بِهَذَا الإِسْنَادِ نَحْوَهُ. غَيْرَ أَنَّهُ قَالَ: وَكَانَ أَهْلُ مَكَّةَ قَوْمَ حَسَدٍ. وَلَمْ يَقُلْ: يَحْسُدُونَهُ.

[2672–238]. (Dar al-Salam 2902) Ibn Abi ʿUmar narrated: Sufyān narrated; from Ibn Abi Ḥusayn; from Abu al-Ṭufayl. He said: **‘I said to Ibn ʿAbbās: “Your people claim that God’s Messenger (peace be upon him) jogged at the Kaʿbah, and in between al-Ṣafa and al-Marwah, and that it is a sunnah”. He said: “They are right, and they lie”.’**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، عَنِ ابْنِ أَبِي حُسَيْنٍ، عَنْ أَبِي الطُّفَيْلِ، قَالَ: قُلْتُ لِابْنِ عَبَّاسٍ: إِنَّ قَوْمَكَ يَزْعُمُونَ أَنَّ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَمَلَ بِالْبَيْتِ، وَبَيْنَ الصَّفَا وَالْـمَرْوَةِ، وَهْىَ سُنَّةٌ. قَالَ: صَدَقُوا وَكَذَبُوا.

[2673–239]. (Dar al-Salam 2903) Muhammad ibn Rāfiʿ narrated to me: Yaḥyā ibn Adam narrated; Zuhayr narrated; from ʿAbd al-Malik ibn Saʿīd ibn al-Abjar; from Abu al-Ṭufyal. He said: **‘I said**

to Ibn ʿAbbās: “I think I saw God’s Messenger (peace be upon him). Describe him to me”. I added: “I saw him at al-Marwah riding a she-camel, with a great number of people around him”. Ibn ʿAbbas said: “That was God’s Messenger (peace be upon him). People were not pushed away from him, nor were they forced away”.’

وَحَدَّثَنِي مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا يَحْيَى بْنُ آدَمَ، حَدَّثَنَا زُهَيْرٌ، عَنْ عَبْدِ الْـمَلِكِ بْنِ سَعِيدِ بْنِ الأَبْجَرِ، عَنْ أَبِي الطُّفَيْلِ، قَالَ: قُلْتُ لاِبْنِ عَبَّاسٍ: أَرَانِي قَدْ رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قَالَ: فَصِفْهُ لِي. قَالَ: قُلْتُ رَأَيْتُهُ عِنْدَ الْـمَرْوَةِ عَلَى نَاقَةٍ وَقَدْ كَثُرَ النَّاسُ عَلَيْهِ. قَالَ: فَقَالَ ابْنُ عَبَّاسٍ: ذَاكَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، إِنَّهُمْ كَانُوا لاَ يُدَعُّونَ عَنْهُ، وَلاَ يُكْهَرُونَ.

[2674–240]. (Dar al-Salam 2904) Abu al-Rabīʿ al-Zahrānī narrated to me:[vi] Ḥammād (meaning Ibn Zayd) narrated; from Ayyūb; from Saʿīd ibn Jubayr; from Ibn ʿAbbās. He said: **‘God’s Messenger and his Companions arrived in Makkah when the Yathrib fever had weakened them. The unbelievers said: “Some people will be arriving tomorrow, and the fever has sapped their strength and they have been weakened by it”. They sat down close to al-Ḥijr. The Prophet ordered (his Companions) to jog for three rounds, walking in between the two corners, so that the unbelievers would see their perseverance. The unbelievers said: “These are the ones you claimed to have been weakened by fever! They are stronger than this and that”.’ Ibn ʿAbbās said: ‘What stopped him from ordering them to jog all the rounds was his compassion’.**

وَحَدَّثَنِي ابُو الرَّبِيعِ الزَّهْرَانِيَّ، حَدَّثَنَا حَمَّادٌ (يَعْنِي ابْنَ زَيْدٍ)، عَنْ أَيُّوبَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: قَدِمَ رَسُولُ اللهِ صَلَّى اللَهُ عَلَيْهِ وَسَلَّمَ وَأَصْحَابُهُ مَكَّةَ، وَقَدْ وَهَنَتْهُمْ حُمَّى يَثْرِبَ. قَالَ الْـمُشْرِكُونَ: إِنَّهُ يَقْدَمُ عَلَيْكُمْ غَدًا قَوْمٌ قَدْ وَهَنَتْهُمُ الْحُمَّى، وَلَقُوا مِنْهَا شِدَّةً. فَجَلَسُوا مِمَّا يَلِي الْحِجْرَ. وَأَمَرَهُمُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَرْمُلُوا ثَلاَثَةَ أَشْوَاطٍ، وَيَمْشُوا مَا بَيْنَ الرُّكْنَيْنِ، لِيَرَى الْـمُشْرِكُونَ جَلَدَهُمْ. فَقَالَ الْـمُشْرِكُونَ: هَؤُلاَءِ الَّذِينَ زَعَمْتُمْ أَنَّ الْحُمَّى قَدْ وَهَنَتْهُمْ؟ هَؤُلاَءِ أَجْلَدُ مِنْ كَذَا وَكَذَا. قَالَ ابْنُ عَبَّاسٍ: وَلَمْ يَمْنَعْهُ أَنْ يَأْمُرَهُمْ أَنْ يَرْمُلُوا الأَشْوَاطَ كُلَّهَا إِلاَّ الإِبْقَاءُ عَلَيْهِمْ.

[2675–241]. (Dar al-Salam 2905) ʿAmr al-Nāqid, Ibn Abi ʿUmar and Ahmad ibn ʿAbdah narrated to me:[vii] all from Ibn ʿUyaynah; Ibn ʿAbdah said: Sufyān narrated; from ʿAmr; from ʿAṭā’; from Ibn ʿAbbās. He said: **‘God’s Messenger (peace be upon him) only jogged at the Kaʿbah to show the unbelievers his strength’.**

وَحَدَّثَنِي عَمْرٌو النَّاقِدُ، وَابْنُ أَبِي عُمَرَ، وَأَحْمَدُ بْنُ عَبْدَةَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ ابْنُ عَبْدَةَ: حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرٍو، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: إِنَّمَا سَعَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَرَمَلَ بِالْبَيْتِ، لِيُرِيَ الْـمُشْرِكِينَ قُوَّتَهُ.

Text Explanation

The hadiths in this chapter speak of jogging in the first three rounds of *ṭawāf*. Jogging means walking fast with short steps, without jumping. It is desirable or a sunnah in the first three rounds of the seven in the *ṭawāf*. It is a sunnah in the *ṭawāf* for the ʿumrah and in one *ṭawāf* in the hajj. Scholars differ as to which *ṭawāf* in the hajj, with both views expressed by al-Shāfiʿī. The more correct view is that it is acceptable in a *ṭawāf* that is followed by a *saʿī*. This can be only the *ṭawāf* of arrival or the *ṭawāf al-ifāḍah*. It cannot be imagined in the *ṭawāf* of farewell because this *ṭawāf* can only be done after the *ṭawāf al-ifāḍah*. On this basis, when a pilgrim performs the *ṭawāf* of arrival, he is advised to jog in the first three rounds if he intends to do the *saʿī* after it. If he has no intention of doing the *saʿī*, he should not jog in this *ṭawāf*, leaving jogging until he does the *ṭawāf al-ifāḍah*. The other view is that a pilgrim should jog in the *ṭawāf* of arrival, whether he wishes to do the *saʿī* after it or not, but God knows best.

Our scholars said that if a pilgrim falls short of doing the jogging in the first three rounds, he should not compensate for this by jogging at any time in the last four rounds because the sunnah is to walk normally in these rounds. Therefore, he should not change this. If a pilgrim cannot jog because the place is crowded, he should walk in a way that imitates jogging. If he cannot jog close to the Kaʿbah in the crowd and can do it at a distance from it, it is better to jog at a distance. The jogging is an aspect of the worship itself, while being near the Kaʿbah relates to the place of worship, not to the act of worship itself, but God knows best. Scholars agree that jogging does not apply to women when they do the *ṭawāf*, in the same way as it does not apply to them in the *saʿi* between al-Ṣafa and al-Marwah. If a man does not jog where jogging is recommended, he a sunnah, and nothing is required of him according to our school. Mālikī scholars differ on this point, with some of them saying that he compensates by offering a sacrifice and others say no compensation is needed.

In hadith No. 2663 ‘He would jog at the bottom of the valley when he performed the *saʿī* between al-Ṣafa and al-Marwah’. Scholars are unanimous that such fast jogging is desirable at this place, and its distance is well-known, extending from the green mark hung in the open area in the

mosque up to the two green marks that are in the mosque and al-ʿAbbās' home. [This is now marked with green lights and lines on every floor where the *saʿī* is done.]

Hadith No. 2664 says: 'When God's Messenger (peace be upon him) performed the *ṭawāf* on arrival for the hajj or the ʿumrah, he would jog the first three rounds of the *ṭawāf* at the Kaʿbah and walk the other four. He would then pray two *rakʿahs* and then do the *saʿī* between al-Ṣafa and al-Marwah'. The words 'on arrival' clearly mean that jogging applies first of all in the *ṭawāf* of the ʿumrah and the *ṭawāf* of arrival in the hajj. The hadith speaks of three and four rounds which clearly means that jogging is limited to only the first three rounds of the *ṭawāf*. The two *rakʿahs* after the *ṭawāf* are a sunnah, i.e., recommended, according to the best-known view of our school. Some say that they are a duty. The hadith says 'and then do the *saʿi*', which shows that the *ṭawāf* and the *saʿī* should be done in the right order, and that starting with *ṭawāf* is a condition. If a pilgrim starts with the *saʿī* before the *ṭawāf*, his *saʿī* is not valid, according to our school and the majority of scholars. Some early scholars have a different view, but it is rather unsound, but God knows best.

In hadith No. 2665 the narrator says: 'I saw God's Messenger (peace be upon him) as he arrived in Makkah. When he had wiped the Black Stone at the beginning of his *ṭawāf* on arrival'. This shows that it is desirable to wipe the Black Stone at the beginning of the *ṭawāf*. This is agreed upon by all to be one of the recommended practices during the *ṭawāf*. *Qadi* Abu al-Ṭayyib, a Shāfiʿī scholar, considers this as evidence recommending wiping both the Black Stone and its corner, while the majority of our scholars limit this sunnah to wiping the Black Stone. Wiping is done with one's hand.

Hadith No. 2666 says: 'God's Messenger jogged from the Black Stone and back to it three times, and then walked four'. This makes it clear that the jogging during the *ṭawāf* covers the full round starting and finishing at the Black Stone. However, in hadith No. 2674 'The Prophet ordered (his Companions) to jog for three rounds, walking in between the two corners'. This is amended by the later hadith, numbered here 2666.[viii] Speaking of walking between the two corners, this hadith refers to the compensatory ʿumrah done in the seventh year, i.e., before Makkah was taken over. At the time, the Muslims were complaining of physical weakness, and they jogged

to show that they were strong. They needed a little relaxation between the two corners. The unbelievers were sitting in the Ḥijr, which is the semi-circle area next to the Kaʿbah. From their position, they could not see what was behind the two corners, but they could see the Muslims in the rest of the *ṭawāf* area. When the Prophet performed the hajj in the tenth year, he jogged the complete round. Hence, we should follow his later practice.

In hadith No. 2670 Abu al-Ṭufayl says that he asked Ibn ʿAbbās: 'What do you say about this jogging for three rounds at the Kaʿbah and walking four rounds – is it a sunnah? Your people claim that it is a sunnah'. He said: 'They are right and they lie', etc. This means that they told the truth in saying that the Prophet did it, but they lied when they said that it is a confirmed sunnah because the Prophet did not make it a sunnah to be done year after year. He simply ordered his Companions to do it on that occasion to demonstrate the Muslims' strength when they were in the midst of unbelievers. This is no longer the case. This is the meaning of Ibn ʿAbbās' argument, stating that jogging is not a confirmed sunnah for all time. This is his view, and it is contrary to the view of all scholars among the Prophet's Companions, the *tābiʿīn* and the following generations. They say that jogging in the first three rounds of the first *ṭawāf* is a sunnah. If a person does not do it, he omits a sunnah but his *ṭawāf* is valid and he need give no compensation. ʿAbdullāh ibn al-Zubayr said that it is a sunnah in all seven rounds. Al-Ḥasan al-Baṣrī, al-Thawrī and ʿAbd al-Malik ibn al-Majishūn of the Mālikī School said that a pilgrim who does not jog needs to sacrifice a sheep in compensation. Mālik used to say the same, but later abandoned this view. The evidence in support of the majority view is that the Prophet jogged in the first three rounds of his *ṭawāf* during the Farewell Pilgrimage and walked in the other four. He later said: 'Learn your rituals from me'. But God knows best.

In the same hadith, Abu al-Ṭufayl adds that he said to Ibn ʿAbbās: 'Tell me about riding during the *saʿi* between al-Ṣafa and al-Marwah – is it a sunnah? Your people claim that it is a sunnah'. He said: 'They are right and they lie', etc. He meant that they told the truth when they said that the Prophet did the *saʿi* riding, but they lied when they said that it was preferable. Walking during the *saʿi* is certainly preferable. The Prophet did it on his mount because of the situation mentioned in the hadith. What Ibn

ʿAbbās said in this case is unanimously agreed upon. All scholars agree that riding during the *saʿī* is permissible, but walking is preferable, except when there is a valid reason justifying riding, but God knows best.

In the same hadith, people gathered around the Prophet and 'even women kept indoors came out'. The reference is to young adolescent women, or ones who reached the age of marriage. They are no longer sent on small errands as younger girls.

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i. Related by al-Bukhari, 1616; Abu Dāwūd, 1893; al-Nasā'ī, 2941.
ii. Related by al-Bukhari, 1603; al-Nasā'ī, 2942.
iii. Related by Abu Dāwūd, 1891.
iv. Related by al-Tirmidhī, 857; al-Nasā'ī, 2944; Ibn Mājah, 2951.
v. Related by Abu Dāwūd, 1885.
vi. Related by al-Bukhari, 1602, 4256; Abu Dāwūd, 1886; al-Nasā'ī, 2945.
vii. Related by al-Bukhari, 1649, 4257; al-Nasā'ī, 2979.
viii. Hadith 2666 is related to the time of the Farewell Pilgrimage in Year 10 AH, while Hadith 2674 refers to the compensatory ʿumrah in Year 7. So, hadith No. 2666 relates to a later event.

CHAPTER 40

WHICH CORNERS TO TOUCH DURING THE *ṬAWĀF*

[2676–242]. (Dar al-Salam 2906) Yaḥyā ibn Yaḥyā narrated:[i] al-Layth reported [H]. Also, Qutaybah narrated; Layth narrated; from Ibn Shihāb; from Sālim ibn ʿAbdullāh; from ʿAbdullāh ibn ʿUmar; that he said: **‘I never saw God’s Messenger (peace be upon him) wiping [with his hand] at the Kaʿbah except at the two Yemeni corners’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا اللَّيْثُ، ح. وَحَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا لَيْثٌ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، أَنَّهُ قَالَ: لَمْ أَرَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَمْسَحُ مِنَ الْبَيْتِ إِلاَّ الرُّكْنَيْنِ الْيَمَانِيَيْنِ.

[2677–243]. (Dar al-Salam 2907) Abu al-Ṭāhir and Ḥarmalah narrated to me:[ii] Abu al-Ṭāhir said: ʿAbdullāh ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from Sālim; from his father. He said: **‘God’s Messenger (peace be upon him) did not wipe any of the corners of the Kaʿbah except the Black corner and the one next to it, towards the Jumaḥīs homes’.**

وَحَدَّثَنِي ابُو الطاهِرِ، وَحَرْمَلةُ. قَالَ ابُو الطاهِرِ: اخْبَرَنَا عَبْدُ اللهِ بْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، قَالَ: لَمْ يَكُنْ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَسْتَلِمُ مِنْ أَرْكَانِ الْبَيْتِ إِلاَّ الرُّكْنَ الأَسْوَدَ، وَالَّذِي يَلِيهِ مِنْ نَحْوِ دُورِ الْجُمَحِيِّينَ.

[2678–244]. (Dar al-Salam 2908) Muhammad ibn al-Muthannā narrated:[iii] Khālid ibn al-Ḥārith narrated; from ʿUbaydullāh; from Nāfiʿ; from ʿAbdullāh. He mentioned: **‘God’s Messenger (peace be upon him) did not wipe except the [Black] Stone and the Yemenī Corner’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا خَالِدُ بْنُ الْحَارِثِ، عَنْ عُبَيْدِ اللهِ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ، ذَكَرَ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ لاَ يَسْتَلِمُ إِلاَّ الْحَجَرَ، وَالرُّكْنَ الْيَمَانِيَ.

[2679–245]. (Dar al-Salam 2909) Muhammad ibn al-Muthannā, Zuhayr ibn Ḥarb and ʿUbaydullāh ibn Saʿīd narrated:[iv] all from Yaḥyā al-Qaṭṭān; Ibn al-Muthannā said: Yaḥyā narrated; from ʿUbaydullāh; Nāfiʿ narrated to me; from Ibn ʿUmar. He said: **‘I never left, in hardship or comfort, wiping at these two corners, the Yemeni and the [Black] Stone, ever since I saw God’s Messenger (peace be upon him) wiping them’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَزُهَيْرُ بْنُ حَرْبٍ، وَعُبَيْدُ اللهِ بْنُ سَعِيدٍ، جَمِيعًا عَنْ يَحْيَى الْقَطَّانِ. قَالَ ابْنُ الْـمُثَنَّى: حَدَّثَنَا يَحْيَى، عَنْ عُبَيْدِ اللهِ، حَدَّثَنِي نَافِعٌ، عَنِ ابْنِ عُمَرَ،

قَالَ: مَا تَرَكتُ اسْتِلاَمَ هَذَيْنِ الرَّكنَيْنِ، اليَمَانِيَ وَالحَجَرَ، مُذْ رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَسْتَلِمُهُمَا، فِي شِدَّةٍ وَلاَ رَخَاءٍ.

[2680–246]. (Dar al-Salam 2910) Abu Bakr ibn Abi Shaybah and Ibn Numayr narrated: both from Abu Khālid; Abu Bakr said: Abu Khālid al-Aḥmar narrated; from ʿUbaydullāh; from Nāfiʿ. He said: **‘I saw Ibn ʿUmar wiping the [Black] Stone with his hand, and then he kissed his hand. He said: “I have not abandoned this ever since I saw God’s Messenger (peace be upon him) doing it”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَابْنُ نُمَيْرٍ، جَمِيعًا عَنْ أَبِي خَالِدٍ. قَالَ أَبُو بَكْرٍ: حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ عُبَيْدِ اللهِ، عَنْ نَافِعٍ، قَالَ: رَأَيْتُ ابْنَ عُمَرَ يَسْتَلِمُ الْحَجَرَ بِيَدِهِ، ثُمَّ قَبَّلَ يَدَهُ. وَقَالَ: مَا تَرَكْتُهُ مُنْذُ رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَفْعَلُهُ.

[2681–247]. (Dar al-Salam 2911) Abu al-Ṭāhir narrated to me: Ibn Wahb reported; ʿAmr ibn al-Ḥārith reported; that Qatādah ibn Diʿāmah narrated to him; that Abu al-Ṭufayl al-Bakrī nar-rated to him; that he heard Ibn ʿAbbās say: **‘I never saw God’s Messenger wiping any place other than the two Yemenī corners’.**

وَحَدَّثَنِي أَبُو الطَّاهِرِ، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي عَمْرُو بْنُ الْحَارِثِ، أَنَّ قَتَادَةَ بْنَ دِعَامَةَ حَدَّثَهُ، أَنَّ أَبَا الطُّفَيْلِ الْبَكْرِيَّ حَدَّثَهُ، أَنَّهُ سَمِعَ ابْنَ عَبَّاسٍ يَقُولُ: لَمْ أَرَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَسْتَلِمُ غَيْرَ الرُّكْنَيْنِ الْيَمَانِيَيْنِ.

Text Explanation

These hadiths are consistent. The two Yemenī corners are the ones which house the Black Stone and the Yemenī Corner. They are described as the two Yemenī ones according to the Arab practice of giving preponderance to one of two people or things that are often jointly mentioned, such as saying the ‘two ʿUmars’ in reference to Abu Bakr and ʿUmar, or the ‘two moons’ in reference to the sun and the moon, and the ‘two black ones’ in reference to dates and water.

The Kaʿbah has four corners: the Black and the Yemeni, which are referred to together as the two Yemenī corners, while the other two are referred to as the two Shāmī [i.e. Syrian] corners. Two points of merit distinguish the Black Corner: it stands on the original foundations placed by Prophet Abraham, and it houses the Black Stone. The Yemenī Corner also shares the merit of standing on Abraham’s foundations. The two Shāmī corners share neither of these merits. Therefore, the Black Stone is given two gestures of distinction: it is wiped and kissed, while the Yemenī has one gesture, which is being wiped but not kissed. Neither of these gestures is done at the Shāmī corners, but God knows best.

All the Muslim community agree that touching the two Yemenī corners is desirable, and the great majority agree that the other two are not touched, but some scholars of the earliest generations considered it desirable. These include al-Ḥasan and al-Ḥusayn, ʿAlī’s sons; Ibn al-Zubayr, Jābir ibn ʿAbdullāh, Anas ibn Mālik, ʿUrwah ibn al-Zubayr and Abu al-Shʿthā’ Jābir ibn Zayd. *Qadi* Abu al-Ṭayyib Ṭāhir ibn ʿAbdullāh said: ‘The leading scholars of all regions agree that the two Shāmī corners are not touched or wiped. There was disagreement on this point by a number of the Prophet’s Companions and the *tābiʿīn*, but this disagreement came to an end and the unanimous view now is that these two corners are not touched, but God knows best’.

Hadith No. 2678 mentions: ‘God’s Messenger (peace be upon him) did not wipe except the [Black] Stone and the Yemenī Corner’. This hadith provides an argument in support of the view of the majority of scholars that the Black Stone is only touched and wiped, but not the corner in which it is

housed. We mentioned earlier that *Qadi* Abu al-Ṭayyib had a different view. The next hadith, No. 2679 states: ‘I never left, in hardship or comfort, wiping these two corners, the Yemeni and the [Black] Stone, ever since I saw God’s Messenger (peace be upon him) wiping them’. This hadith shows that it is desirable to kiss one’s hand after touching the Black Stone, if one is unable to kiss it directly. This hadith is understood to refer to the situation where one is unable to kiss the Black Stone because of crowding. In this case, one kisses one’s own hand after touching it. On the other hand, if one is able to kiss the Black Stone, one kisses it but not one’s own hand. This is the view of our school, and it is shared by the majority of scholars. Al-Qāsim ibn Muhammad, a well-known scholar of the *tābiʿīn* generation, said that kissing is undesirable. His view is shared by Mālik, in one of the two views he expressed, but God knows best.

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i. Related by al-Bukhari, 1609; Abu Dāwūd, 1874; al-Nasā’ī, 2949.
ii. Related by al-Nasā’ī, 2951; Ibn Mājah, 2946.
iii. Related by al-Nasā’ī, 2948.
iv. Related by al-Bukhari, 1606; al-Nasā’ī, 2952.

CHAPTER 41

KISSING THE BLACK STONE DURING THE *ṬAWĀF*

[2682–248]. (Dar al-Salam 2912) Ḥarmalah ibn Yaḥyā narrated to me:[i] Ibn Wahb reported; Yūnus and ʿAmr reported to me [H]. Also, Ḥārūn ibn Saʿīd al-Aylī narrated to me; Ibn Wahb narrated to me; ʿAmr reported to me; from Ibn Shihāb; from Sālim; that his father narrated to him. He said: **‘ʿUmar ibn al-Khaṭṭāb kissed the Black Stone, then said: “By God, I know that you are a [mere] stone. Had I not seen God’s Messenger kissing you, I would not have kissed you’.**

Ḥārūn added in his narration: **‘ʿAmr said: “The same was narrated to me by Zayd ibn Aslam, from Aslam, his father”.’**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، وَعَمْرٌو، ح وَحَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، حَدَّثَنِي ابْنُ وَهْبٍ، أَخْبَرَنِي عَمْرٌو، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، أَنَّ أَبَاهُ حَدَّثَهُ قَالَ: قَبَّلَ عُمَرُ بْنُ الْخَطَّابِ الْحَجَرَ، ثُمَّ قَالَ: أَمَ وَاللهِ لَقَدْ عَلِمْتُ أَنَّكَ حَجَرٌ، وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُكَ مَا قَبَّلْتُكَ.

زَادَ هَارُونُ فِي رِوَايَتِهِ: قَالَ عَمْرٌو: وَحَدَّثَنِي بِمِثْلِهَا زَيْدُ بْنُ أَسْلَمَ عَنْ أَبِيهِ أَسْلَمَ.

[2683–249]. (Dar al-Salam 2913) Muhammad ibn Abu Bakr al-Muqaddamī narrated: Ḥammād ibn Zayd narrated; from Ayyūb; from Nāfiʿ; from Ibn ʿUmar; that **‘ʿUmar kissed the [Black] Stone and said: “I am kissing you, knowing that you are [merely] a stone, but I saw God’s Messenger (peace be upon him) kissing you”.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ أَبِي بَكْرٍ الْـمُقَدَّمِيُّ، حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ عُمَرَ قَبَّلَ الْحَجَرَ، وَقَالَ: إِنِّي لأُقَبِّلُكَ وَإِنِّي لأَعْلَمُ أَنَّكَ حَجَرٌ، وَلَكِنِّي رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُكَ.

[2684–250]. (Dar al-Salam 2914) Khalaf ibn Hishām, al-Muqaddamī, Abu Kāmil and Qutaybah ibn Saʿīd narrated:[ii] all from Ḥammād; Khalaf said: Ḥammād ibn Zayd narrated; from ʿĀṣim al-Aḥwal; from ʿAbdullāh ibn Sarjis. He said: **‘I saw the bald man (meaning ʿUmar ibn al-Khaṭṭāb) kissing the [Black] Stone and he said: “By God, I am kissing you and I know that you are a stone and that you cause neither harm nor benefit. Had it not been for the fact that I saw God’s Messenger (peace be upon him) kissing you, I would not have kissed you”.’**

In al-Muqaddamī’s and Abu Kāmil’s narrations: **the word *aṣla*ʿ, meaning ‘the bald one’, is replaced by *uṣayli*ʿ, with the same meaning.**

حَدَّثَنَا خَلَفُ بْنُ هِشَامٍ، وَالْـمُقَدَّمِيُّ، وَأَبُو كَامِلٍ، وَقُتَيْبَةُ بْنُ سَعِيدٍ: كُلُّهُمْ عَنْ حَمَّادٍ. قَالَ خَلَفٌ حَدَّثَنَا حَمَّادُ بْنُ

زَيْدٍ، عَنْ عَاصِمٍ الاَحْوَلِ، عَنْ عَبْدِ اللهِ بْنِ سَرْجِسَ، قَالَ: رَأَيْتُ الأَصْلَعَ - يَعْنِي عُمَرَ بْنَ الْخَطَّابِ - يُقَبِّلُ الْحَجَرَ وَيَقُولُ: وَاللهِ إِنِّي لأُقَبِّلُكَ وَإِنِّي أَعْلَمُ أَنَّكَ حَجَرٌ، وَأَنَّكَ لاَ تَضُرُّ وَلاَ تَنْفَعُ. وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَبَّلَكَ مَا قَبَّلْتُكَ.

وَفِي رِوَايَةِ الْـمُقَدَّمِيِّ وَأَبِي كَامِلٍ رَأَيْتُ الأُصَيْلِعَ.

[2685–251]. (Dar al-Salam 2915) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah, Zuhayr ibn Ḥarb and Ibn Numayr narrated:[iii] all from Abu Muʿāwiyah; Yaḥyā said: Muʿāwiyah reported; from al-Aʿmash; from Ibrāhīm; from ʿĀbis ibn Rabīʿah. He said: **‘I saw ʿUmar kissing the [Black] Stone and saying: “I am kissing you and I know that you are a stone. Had it not been for the fact that I saw God’s Messenger (peace be upon him) kissing you, I would not have kissed you”.’**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، وَابْنُ نُمَيْرٍ جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ. قَالَ يَحْيَى أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَابِسِ بْنِ رَبِيعَةَ قَالَ: رَأَيْتُ عُمَرَ يُقَبِّلُ الْحَجَرَ وَيَقُولُ: إِنِّي لأُقَبِّلُكَ وَأَعْلَمُ أَنَّكَ حَجَرٌ، وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُقَبِّلُكَ لَمْ أُقَبِّلْكَ.

[2686–252]. (Dar al-Salam 2916) Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated:[iv] both from Wakīʿ; Abu Bakr said: Wakīʿ narrated; from Sufyān; from Ibrāhīm ibn ʿAbd al-Aʿlā; from Suwayd ibn Ghafalah. He said: **‘I saw ʿUmar when he kissed the**

[Black] Stone and touched it. He said: “I saw God’s Messenger (peace be upon him) looking after you”.’

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنْ وَكِيعٍ. قَالَ أَبُو بَكْرٍ حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الأَعْلَى، عَنْ سُوَيْدِ بْنِ غَفَلَةَ قَالَ: رَأَيْتُ عُمَرَ قَبَّلَ الْحَجَرَ وَالْتَزَمَهُ، وَقَالَ رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِكَ حَفِيًّا.

[2687–000]. (Dar al-Salam[v]) Muhammad ibn al-Muthannā narrated: ʿAbd al-Raḥmān narrated; from Sufyān; with the same chain of transmission, but he said: **‘But I saw Abu al-Qāsim (peace be upon him) looking after you’, and he did not say ‘and touched it’.**

وَحَدَّثَنِيهِ مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، عَنْ سُفْيَانَ، بِهَذَا الإِسْنَادِ قَالَ: وَلَكِنِّي رَأَيْتُ أَبَا الْقَاسِمِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِكَ حَفِيًّا. وَلَمْ يَقُلْ وَالْتَزَمَهُ.

Text Explanation

These hadiths mention ʿUmar's words to the Black Stone after he kissed it. He states that he was aware that it was a mere stone, and in one hadith he adds that it brought neither harm nor benefit. This hadith, in its different versions, mentions some useful points, including the desirability of wiping and kissing the Black Stone during the *ṭawāf*. It is also desirable to prostrate oneself on it by placing one's forehead thereon. Thus, one wipes, kisses and places one's forehead on it. This is the view of our school and the majority of scholars. Ibn al-Mundhir mentions that this view was expressed by ʿUmar ibn al-Khaṭṭāb, Ibn ʿAbbās, Ṭāwūs, al-Shāfiʿī and Ahmad. Ibn al-Mundhir added: 'And I share it. We have narrated the same from the Prophet (peace be upon him). Mālik alone differs with other scholars, saying that prostration on it is a deviation'. *Qadi* ʿIyāḍ, who belongs to the Mālikī School, acknowledges Mālik's odd view as he differs on this point with other scholars.

The Yemenī Corner is wiped without kissing. One kisses one's own hand after touching the corner. This is our view, which is also expressed by Jābir ibn ʿAbdullāh, Abu Saʿīd al-Khudrī and Abu Hurayrah. Abu Ḥanīfah said: 'One does not wipe it in the *ṭawāf*'. Mālik and Ahmad said: 'One wipes it but does not kiss one's hand after that'. Yet two reports, separately attributed to Mālik and Ahmad, impart the view that one also kisses the Yemenī Corner, but God knows best.

When ʿUmar says: 'I know that you are a stone', and 'I know that you can bring neither harm nor benefit', his purpose is to urge others to follow the Prophet's practice of kissing the stone. He makes clear that he did so only because the Prophet did this and he was following the Prophet's example. He mentioned that the Black Stone could cause neither benefit nor harm because he realised that among the pilgrims there were many who had only newly embraced Islam. Indeed, they would still have been familiar with the practice of attaching great importance to stones, thinking that they had power to bring benefit or cause harm to those who neglect to honour them. ʿUmar feared that when he was seen to kiss the Black Stone some people might be confused. Therefore, he declared that the stone could cause nothing by itself, but to do what Islam requires or recommends brings some

reward by God. The stone itself is a creature of God, causing neither harm nor benefit. ʿUmar ensured that this was circulated in the pilgrimage, so that it would be reported by other pilgrims when they went back to their respective areas, but God knows best.

In hadith No. 2684 the narrator says in reference to ʿUmar: 'I saw the bald man'. This makes it clear that there is no harm in referring to a person by a title or description which he does not dislike, even though other people may dislike such a title or description.

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i. Related by al-Bukhari, 1610 and in a longer version, 1605.

ii. Related by Ibn Mājah, 2943.

iii. Related by al-Bukhari, 1597; Abu Dāwūd, 1873; al-Tirmidhī, 860; al-Nasā'ī, 2937.

iv. Related by al-Nasā'ī, 2936.

v. In Dar al-Salam's edition this hadith is attached to the one before it and not given a separate number.

CHAPTER 42

RIDING DURING THE *ṬAWĀF*

[2688–253]. (Dar al-Salam 2917) Abu al-Ṭāhir and Ḥarmalah ibn Yaḥyā narrated to me:[i] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from ʿUbaydullāh ibn ʿAbdullāh ibn ʿUtbah; from Ibn ʿAbbās; that **‘During the Farewell Pilgrimage, God’s Messenger (peace be upon him) performed the *ṭawāf* riding a camel and touching the [Black] Stone with a stick’.**

حَدَّثَنِي أَبُو الطَّاهِرِ، وَحَرْمَلَةُ بْنُ يَحْيَى، قَالا: أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللهِ بْنِ عَبْدِ اللهِ بْنِ عُتْبَةَ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ طَافَ فِي حَجَّةِ الْوَدَاعِ عَلَى بَعِيرٍ، يَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ.

[2689–254]. (Dar al-Salam 2918) Abu Bakr ibn Abi Shaybah narrated:[ii] ʿAlī ibn Mushir narrated; from Ibn Jurayj; from Abu al-Zubayr; from Jābir. He said: **‘God’s Messenger (peace be upon him) performed the *ṭawāf* during the Farewell Pilgrimage riding his she-camel, touching the [Black] Stone with his stick, so that people would see him, and to observe and that people would ask him as they had crowded around him’.**

حَدّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، قَالَ حَدّثَنَا عَلِيَّ بْنُ مُسْهِرٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، قَالَ: طَافَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْبَيْتِ فِي حَجَّةِ الْوَدَاعِ عَلَى رَاحِلَتِهِ، يَسْتَلِمُ الْحَجَرَ بِمِحْجَنِهِ، لأَنْ يَرَاهُ النَّاسُ، وَلِيُشْرِفَ وَلِيَسْأَلُوهُ، فَإِنَّ النَّاسَ غَشُوهُ.

[2690–255]. (Dar al-Salam 2919) ʿAlī ibn Khashram narrated: ʿĪsā ibn Yūnus reported; from Ibn Jurayj [H]. Also, ʿAbd ibn Ḥumayd narrated; Muhammad (meaning Ibn Bakr) reported; he said: Ibn Jurayj reported; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘During the Farewell Pilgrimage, God’s Messenger performed the *ṭawāf* at the Kaʿbah and in between al-Ṣafa and al-Marwah, riding his she-camel, so that people would see him and observe and [so] that people would ask him as they crowded around him’.**

Ibn Khashram did not mention**: ‘people would ask him’ only.**

وَحَدَّثَنَا عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى بْنُ يُونُسَ، عَنِ ابْنِ جُرَيْجٍ، ح. وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدٌ (يَعْنِي ابْنَ بَكْرٍ)، قَالَ أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ يَقُولُ: طَافَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ عَلَى رَاحِلَتِهِ بِالْبَيْتِ، وَبِالصَّفَا وَالْـمَرْوَةِ، لِيَرَاهُ النَّاسُ، وَلِيُشْرِفَ وَلِيَسْأَلُوهُ، فَإِنَّ النَّاسَ غَشُوهُ.

وَلَمْ يَذْكُرِ ابْنُ خَشْرَمٍ وَلِيَسْأَلُوهُ فَقَطْ.

[2691–256]. (Dar al-Salam 2920) Al-Ḥakam ibn Mūsā al-Qanṭarī narrated to me:[iii] Shuʿaby ibn Isḥāq narrated; from Hishām ibn ʿUrwah; from ʿUrwah; from ʿĀ’ishah. She said: **‘The Prophet (peace be upon him) performed the *ṭawāf* around the Kaʿbah during the Farewell Pilgrimage, riding his camel, touching the [Black] Stone, so that people would not be turned away from him’.**

حَدَّثَنِي الْحَكَمُ بْنُ مُوسَى الْقَنْطَرِيُّ، حَدَّثَنَا شُعَيْبُ بْنُ إِسْحَاقَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ قَالَتْ: طَافَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ حَوْلَ الْكَعْبَةِ عَلَى بَعِيرِهِ، يَسْتَلِمُ الرُّكْنَ كَرَاهِيَةَ أَنْ يُضْرَبَ عَنْهُ النَّاسُ.

[2692–257]. (Dar al-Salam 2921) Muhammad ibn al-Muthannā narrated:[iv] Sulaymān ibn Dāwūd narrated; Maʿrūf ibn Kharrabūdh narrated; he said: I heard Abu al-Ṭufayl say: **‘I saw God’s Messenger performing the *ṭawāf* at the Kaʿbah, touching the Black Stone with a stick he had, then kissing the stick’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا سُلَيْمَانُ بْنُ دَاوُدَ، حَدَّثَنَا مَعْرُوفُ بْنُ خَرَّبُوذَ، قَالَ سَمِعْتُ أَبَا الطُّفَيْلِ يَقُولُ: رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَطُوفُ بِالْبَيْتِ، وَيَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ مَعَهُ، وَيُقَبِّلُ الْـمِحْجَنَ.

[2693–258]. (Dar al-Salam 2922) Yaḥyā ibn Yaḥyā narrated:[v] he said: I read out to Mālik; from Muhammad ibn ʿAbd al-Raḥmān ibn Nawfal; from ʿUrwah; from Zaynab bint Abi Salamah; from Umm Salamah; that she said: **‘I complained to God’s Messenger**

(peace be upon him) that I was unwell. He said: “Do your *ṭawāf* riding, to the side of the people”, I did this. God’s Messenger was praying next to the Kaʿbah, reciting the surah starting with: “By Mount Sinai, by a scripture inscribed”.’ (52: 1-2)

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ نَوْفَلٍ، عَنْ عُرْوَةَ، عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ، عَنْ أُمِّ سَلَمَةَ، أَنَّهَا قَالَتْ: شَكَوْتُ إِلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنِّي أَشْتَكِي، فَقَالَ: «طُوفِي مِنْ وَرَاءِ النَّاسِ وَأَنْتِ رَاكِبَةٌ». قَالَتْ: فَطُفْتُ وَرَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِينَئِذٍ يُصَلِّي إِلَى جَنْبِ الْبَيْتِ وَهُوَ يَقْرَأُ بِـ «الطُّورِ، وَكِتَابٍ مَسْطُورٍ».

Text Explanation

The various versions of this hadith show that it is permissible to perform the *ṭawāf* riding and that it is desirable to touch the Black Stone. If a person is unable to touch it with his hand, he may touch it with a stick. The Prophet used a stick with a curved end which was used to pick up things that might be dropped while riding. The hadith also shows that it is permissible to describe the Prophet's hajj as the 'Farewell Pilgrimage'. Some scholars have disliked it being so called, but this is wrong, and God knows best.

The Mālikī and Ḥanbalī Schools take this hadith as evidence that the urine and stools of animals that are permissible to eat are not impure. They argue that had it not been the case, the Prophet would not have exposed the mosque to the possibility of contamination with camel impurity because it is not possible to control this. According to our Shāfiʿī School, as well as the Ḥanafī School and others, such urine and stools are impure, and there is no evidence in these hadiths to the contrary. It is not inevitable that a camel would urinate or defecate during *ṭawāf*, it is only a possibility. If it happens, the mosque is cleared of the impurity. The Prophet allowed young children to enter the mosque, even though they could not control their urination. Indeed, some did urinate.

In hadith No. 2689 the Prophet is said to have performed the *ṭawāf* riding his she-camel 'so that people would see him and observe, and so that people would ask him'. This sets the reasoning behind his riding his camel when doing the *ṭawāf*. It is also said that he did so in order to show that it is permissible. In Abu Dāwūd's *Sunan*, it is mentioned that he was unwell when he performed this *ṭawāf*. Al-Bukhari refers to this as he mentions the hadith in a chapter with the heading, 'Riding in *Ṭawāf* When Ill'. It is possible that he did it riding for all these reasons.

Hadith No. 2692 says: 'I saw God's Messenger performing the *ṭawāf* at the Kaʿbah, touching the Black Stone with a stick he had, then kissing the stick'. The hadith provides evidence that to touch the Black Stone is desirable, and if one is unable to reach it with one's hand because one is riding or for any other reason, one may touch it with a stick or some similar

object. Then one may kiss the object with which one has touched the Black Stone. This is the view of our school.

In the last hadith, No. 2693 Umm Salamah complains to the Prophet of her illness. He tells her to do the *ṭawāf* riding and to do it to the side of the people doing their *ṭawāf*. There are two reasons for this advice by the Prophet. The first is that it is recommended that women move a little away from men when they do the *ṭawāf*. The second reason is that people might be hurt by her mount if she was too near. The same applies to men riding when they do the *ṭawāf*. Umm Salamah did her *ṭawāf* when the Prophet was engaged in the Fajr Prayer, so that she would be less observed, but God knows best.

Transmission

The chain of transmission of hadith No. 2691 begins with al-Ḥakam ibn Mūsā al-Qanṭarī. Al-Samʿānī said that he belonged to Qanṭarat Bardān, which is a district in Baghdad. And the chain of transmission of hadith No. 2692 includes Maʿrūf ibn Kharrabūdh. Abu al-Walīd al-Bājī said that his father's name is pronounced Khurrabūdh, but the majority of scholars pronounce it Kharrabūdh.

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i. Related by al-Bukhari, 1607; al-Nasā'ī, 2954, 712; Ibn Mājah, 2948.

ii. Related by Abu Dāwūd, 1880.

iii. Related by al-Nasā'ī, 2928.

iv. Related by Abu Dāwūd, 1879; Ibn Mājah, 2949.

v. Related by al-Bukhari, 464, 1619, 1626, 1633, 4853; Abu Dāwūd, 1882; al-Nasā'ī, 2925, 2927; Ibn Mājah, 2961.

CHAPTER 43

THE *SAʿĪ* IS AN ESSENTIAL OBLIGATION

[2694–259]. (Dar al-Salam 2923) Yaḥyā ibn Yaḥyā narrated: Abu Muʿāwiyah narrated; from Hishām ibn ʿUrwah; from his father; from ʿĀ'ishah. He said: **'I said to her: "I think that it would not do any harm for a man to abstain from the *saʿī* between al-Ṣafa and al-Marwah". She said: "Why is that?" I said: "Because God, the Exalted, says: 'Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah would do no wrong to walk to and fro between them'." (2: 158) She said: "God does not render complete the hajj or the ʿumrah of anyone who does not walk between al-Ṣafa and al-Marwah. Had it been as you say, the verse would have said: 'would do no wrong NOT to walk between them'. Do you know what this is all about? It is because in pre-Islamic days, the Anṣār used to enter into consecration at two of their idols, erected by the coast, called Isāf and Nā'ilah. They would then come and do the *saʿī* between al-Ṣafa and al-Marwah, then shave. With the advent of Islam, they disliked doing the *saʿi* there because of what they used to celebrate in pre-Islamic days. God then revealed the verse: 'Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between them'." She said: "Then they did".'**

حَدّثَنَا يَحْيَى بْنُ يَحْيَى، حَدّثَنَا ابُو مُعَاوِيَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، قَالَ: قُلْتُ لَهَا: إِنِّي لأَظُنُّ رَجُلاً لَوْ لَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ مَا ضَرَّهُ. قَالَتْ لِمَ؟ قُلْتُ: لأَنَّ اللَّهَ تَعَالَى يَقُولُ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ”، إِلَى آخِرِ الآيَةِ. فَقَالَتْ: مَا أَتَمَّ اللهُ حَجَّ امْرِئٍ وَلاَ عُمْرَتَهُ لَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. وَلَوْ كَانَ كَمَا تَقُولُ لَكَانَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ لا يَطَّوَّفَ بِهِمَا. وَهَلْ تَدْرِي فِيمَا كَانَ ذَاكَ؟ إِنَّمَا كَانَ ذَاكَ أَنَّ الأَنْصَارَ كَانُوا يُهِلُّونَ فِي الْجَاهِلِيَّةِ لِصَنَمَيْنِ عَلَى شَطِّ الْبَحْرِ يُقَالُ لَهُمَا إِسَافٌ وَنَائِلَةٌ. ثُمَّ يَجِيئُونَ فَيَطُوفُونَ بَيْنَ الصَّفَا وَالْـمَرْوَةِ ثُمَّ يَحْلِقُونَ. فَلَمَّا جَاءَ الإِسْلاَمُ كَرِهُوا أَنْ يَطُوفُوا بَيْنَهُمَا، لِلَّذِي كَانُوا يَصْنَعُونَ فِي الْجَاهِلِيَّةِ. قَالَتْ: فَأَنْزَلَ اللهُ عَزَّ وَجَلَّ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ”، إِلَى آخِرِهَا. قَالَتْ: فَطَافُوا.

[2695–260]. (Dar al-Salam 2924) Abu Bakr ibn Abi Shaybah narrated: Abu Usāmah narrated; Hishām ibn ʿUrwah narrated; my father reported to me. He said: **‘I said to ʿĀ’ishah: “I think I do no wrong if I do not do the *saʿī* between al-Ṣafa and al-Marwah”. She said: “Why is that?” I said: “Because God, Mighty and Exalted, says: ‘Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between them’.” She said: “Had it been as you say, the verse would have said: ‘would do no wrong NOT to walk between them’. This verse was revealed concerning some of the Anṣār. In pre-Islamic days, they would declare consecration to Manāt, and it would be unlawful to them to do the *saʿī* between**

al-Ṣafa and al-Marwah. When they came to perform the hajj with the Prophet, they mentioned this to him. God revealed this verse. Upon my soul, God does not make complete the hajj of anyone who does not do the *saʿī* between al-Ṣafa and al-Marwah”.’

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو أُسَامَةَ، حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، أَخْبَرَنِي أَبِي قَالَ: قُلْتُ لِعَائِشَةَ: مَا أَرَى عَلَىَّ جُنَاحًا أَنْ لاَ أَتَطَوَّفَ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. قَالَتْ لِمَ؟ قُلْتُ: لأَنَّ اللَّهَ عَزَّ وَجَلَّ يَقُولُ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ” الآيَةَ. فَقَالَتْ: لَوْ كَانَ كَمَا تَقُولُ لَكَانَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ لاَ يَطَّوَّفَ بِهِمَا. إِنَّمَا أُنْزِلَ هَذَا فِي أُنَاسٍ مِنَ الأَنْصَارِ كَانُوا إِذَا أَهَلُّوا أَهَلُّوا لِمَنَاةَ فِي الْجَاهِلِيَّةِ، فَلاَ يَحِلُّ لَهُمْ أَنْ يَطَّوَّفُوا بَيْنَ الصَّفَا وَالْـمَرْوَةِ. فَلَمَّا قَدِمُوا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِلْحَجِّ، ذَكَرُوا ذَلِكَ لَهُ، فَأَنْزَلَ اللهُ تَعَالَى هَذِهِ الآيَةَ. فَلَعَمْرِي مَا أَتَمَّ اللهُ حَجَّ مَنْ لَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ.

[2696–261]. (Dar al-Salam 2925) ʿAmr al-Nāqid and Ibn Abi ʿUmar narrated: both from Ibn ʿUyaynah; Ibn Abi ʿUmar said: Sufyān narrated; he said: I heard al-Zuhrī narrating; from ʿUrwah ibn al-Zubayr. He said: **‘I said to ʿĀ’ishah, the Prophet’s wife: “I do not think that anyone who does not do the *saʿī* between al-Ṣafa and al-Marwah does any wrong, and I do not care that I may not do it”. She said: “Nephew, you are grossly mistaken. God’s Messenger did the *saʿī* and so did all Muslims, and it is the right practice. In the past, those who consecrated themselves for Manāt al-Ṭāghiyah, which is [erected] at al-**

Mushallal, would not do the *saʿī* between al-Ṣafa and al-Marwah. With the advent of Islam, we asked the Prophet about this. God then revealed the verse: 'Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between them'. Had it been as you say, it would have said: 'would do no wrong NOT to walk to and fro between them'.'"

Al-Zuhrī said: **'I mentioned this to Abu Bakr ibn ʿAbd al-Raḥmān ibn al-Ḥārith ibn Hishām and he liked it. He said: "This is real knowledge". I heard some scholars say that those Arabs who did not do the *saʿī* between al-Ṣafa and al-Marwah used to say that our *saʿī* between these two stones is part of the practice of ignorance. Others from the Anṣār said: "We have been commanded to do the *ṭawāf* at the Kaʿbah but not between al-Ṣafa and al-Marwah". God then revealed: "Al-Ṣafa and al-Marwah are among the symbols set up by God".'**

Abu Bakr ibn ʿAbd al-Raḥmān said: **'I think it was revealed concerning both groups'.**

حَدَّثَنَا عَمْرٌو النَّاقِدُ، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ ابْنُ أَبِي عُمَرَ حَدَّثَنَا سُفْيَانُ، قَالَ سَمِعْتُ الزُّهْرِيَّ، يُحَدِّثُ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ قَالَ: قُلْتُ لِعَائِشَةَ، زَوْجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، مَا أَرَى عَلَى أَحَدٍ لَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ شَيْئًا، وَمَا أُبَالِي أَنْ لاَ أَطُوفَ بَيْنَهُمَا. قَالَتْ: بِئْسَ مَا قُلْتَ يَا ابْنَ أُخْتِي. طَافَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَطَافَ الْـمُسْلِمُونَ فَكَانَتْ سُنَّةً. وَإِنَّمَا كَانَ مَنْ أَهَلَّ لِمَنَاةَ الطَّاغِيَةِ الَّتِي بِالْـمُشَلَّلِ لاَ يَطُوفُونَ بَيْنَ الصَّفَا وَالْـمَرْوَةِ، فَلَمَّا كَانَ الإِسْلاَمُ سَأَلْنَا

النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلمَ عَنْ ذَلِكَ، فَانْزَلَ اللهُ عَزّ وَجَلَّ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ، فَمَنْ حَجَّ الْبَيْتَ أَوِ اعْتَمَرَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا»، وَلَوْ كَانَتْ كَمَا تَقُولُ لَكَانَتْ فَلاَ جُنَاحَ عَلَيْهِ أَنْ لاَ يَطَّوَّفَ بِهِمَا.

قَالَ الزُّهْرِيُّ فَذَكَرْتُ ذَلِكَ لأَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ فَأَعْجَبَهُ ذَلِكَ. وَقَالَ إِنَّ هَذَا الْعِلْـمُ. وَلَقَدْ سَمِعْتُ رِجَالاً مِنْ أَهْلِ الْعِلْـمِ يَقُولُونَ: إِنَّمَا كَانَ مَنْ لاَ يَطُوفُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ مِنَ الْعَرَبِ يَقُولُونَ إِنَّ طَوَافَنَا بَيْنَ هَذَيْنِ الْحَجَرَيْنِ مِنْ أَمْرِ الْجَاهِلِيَّةِ. وَقَالَ آخَرُونَ مِنَ الأَنْصَارِ: إِنَّمَا أُمِرْنَا بِالطَّوَافِ بِالْبَيْتِ، وَلَمْ نُؤْمَرْ بِهِ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. فَأَنْزَلَ اللهُ عَزَّ وَجَلَّ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ».

قَالَ أَبُو بَكْرِ بْنُ عَبْدِ الرَّحْمَنِ: فَأُرَاهَا قَدْ نَزَلَتْ فِي هَؤُلاَءِ وَهَؤُلاَءِ.

[2697–262]. (Dar al-Salam 2926) Muhammad ibn Rāfiʿ narrated to me: Ḥujayn ibn al-Muthannā narrated; Layth narrated; from ʿUqayl; from Ibn Shihāb; that he said: ʿUrwah ibn al-Zubayr reported to me. He said: **‘I asked ʿĀ’ishah…’. He narrated the hadith in similar terms and said in it: ‘They asked God’s Messenger (peace be upon him) about this and said: “Messenger of God, we have been reluctant to do the *saʿī* between al-Ṣafa and al-Marwah”. God then revealed: “Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between them”.**

ʿĀ’ishah said: **“God’s Messenger (peace be upon him) has established the *saʿī* between them, and it is not up to anyone to abandon the *saʿī*”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا حُجَيْنُ بْنُ الْـمُثَنَّى، حَدَّثَنَا لَيْثٌ، عَنْ عُقَيْلٍ، عَنِ ابْنِ شِهَابٍ أَنَّهُ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ، قَالَ سَأَلْتُ عَائِشَةَ... وَسَاقَ الْحَدِيثَ بِنَحْوِهِ. وَقَالَ فِي الْحَدِيثِ: فَلَمَّا سَأَلُوا رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ فَقَالُوا: يَا رَسُولَ اللهِ إِنَّا كُنَّا نَتَحَرَّجُ أَنْ نَطُوفَ بِالصَّفَا وَالْـمَرْوَةِ، فَأَنْزَلَ اللهُ عَزَّ وَجَلَّ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ، فَمَنْ حَجَّ الْبَيْتَ أَوِ اعْتَمَرَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا». قَالَتْ عَائِشَةُ: قَدْ سَنَّ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الطَّوَافَ بَيْنَهُمَا، فَلَيْسَ لأَحَدٍ أَنْ يَتْرُكَ الطَّوَافَ بِهِمَا.

[2698–263]. (Dar al-Salam 2927) Ḥarmalah ibn Yaḥyā narrated: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; from ʿUrwah ibn al-Zubayr; that ʿĀ’ishah told him that **‘Before adopting Islam, the Anṣār and the people of the Ghassān tribe used to consecrate themselves for Manāt, and they were reluctant to do the *saʿī* between al-Ṣafa and al-Marwah. This was the practice among their forefathers: that whoever consecrates for Manāt would not do the *saʿī* between al-Ṣafa and al-Marwah. When they embraced Islam, they asked God’s Messenger about it and God, Mighty and Exalted, revealed concerning it: “Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between**

them. He who does good of his own accord shall find that God is most thankful, all-knowing”.’

وَحَدَّثَنَا حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، أَنَّ عَائِشَةَ أَخْبَرَتْهُ أَنَّ الأَنْصَارَ كَانُوا قَبْلَ أَنْ يُسْلِمُوا هُمْ وَغَسَّانُ يُهِلُّونَ لِمَنَاةَ، فَتَحَرَّجُوا أَنْ يَطُوفُوا بَيْنَ الصَّفَا وَالْـمَرْوَةِ. وَكَانَ ذَلِكَ سُنَّةً فِي آبَائِهِمْ: مَنْ أَحْرَمَ لِمَنَاةَ لَمْ يَطُفْ بَيْنَ الصَّفَا وَالْـمَرْوَةِ. وَإِنَّهُمْ سَأَلُوا رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ ذَلِكَ حِينَ أَسْلَمُوا، فَأَنْزَلَ اللهُ عَزَّ وَجَلَّ فِي ذَلِكَ: «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ، فَمَنْ حَجَّ الْبَيْتَ أَوِ اعْتَمَرَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا. وَمَنْ تَطَوَّعَ خَيْرًا فَإِنَّ اللَّهَ شَاكِرٌ عَلِيمٌ».

[2699–264]. (Dar al-Salam 2928) Abu Bakr ibn Abi Shaybah narrated: Abu Muʿāwiyah narrated; from ʿĀṣim; from Anas. He said: **‘The Anṣār used to dislike doing the *saʿī* between al-Ṣafa and al-Marwah until the verse was revealed: “Al-Ṣafa and al-Marwah are among the symbols set up by God. Whoever visits the Sacred House for the hajj or the ʿumrah, would do no wrong to walk to and fro between them”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ عَاصِمٍ، عَنْ أَنَسٍ قَالَ: كَانَتِ الأَنْصَارُ يَكْرَهُونَ أَنْ يَطُوفُوا بَيْنَ الصَّفَا وَالْـمَرْوَةِ حَتَّى نَزَلَتْ «إِنَّ الصَّفَا وَالْـمَرْوَةَ مِنْ شَعَائِرِ اللهِ، فَمَنْ حَجَّ الْبَيْتَ أَوِ اعْتَمَرَ فَلاَ جُنَاحَ عَلَيْهِ أَنْ يَطَّوَّفَ بِهِمَا».

Text Explanation

The established view which is agreed upon by the great majority of scholars from among the Prophet's Companions, the *tābiʿīn* and the following generations is that the *saʿī* between al-Ṣafa and al-Marwah is an obligatory condition of the hajj, and the hajj is incomplete without it. It cannot be compensated for, if omitted, by a sacrifice or anything else. Scholars who say this include Mālik, al-Shāfiʿī, Ahmad, Isḥāq and Abu Thawr. Some early scholars said that it is voluntary, while Abu Ḥanīfah said that it is a duty. Its omission is a sin and it is compensated for by a sacrifice, while the hajj remains valid. The evidence in support of the view of the majority of scholars is that the Prophet said: 'Learn your rituals from me'. What is required is one *saʿī*, and it is preferable to do this after the *ṭawāf* of arrival. It may be delayed until after the *ṭawāf al-ifāḍah*.

In these hadiths ʿUrwah says to ʿĀ'ishah, his maternal aunt, that the *saʿī* is not a duty because God says of it that a person 'would do no wrong to walk between them'. ʿĀ'ishah rejected his argument and said that the hajj is incomplete without the *saʿī*. Had his argument been correct, the verse would have said the reverse, i.e., 'would do no wrong NOT to walk between them'. Scholars said: 'This testifies to her meticulous scholarship, profound insight and thorough knowledge of Arabic vocabulary. The Qur'anic verse makes it clear that there is no harm in doing the *saʿī* between them. It does not refer to whether the *saʿī* is a duty or not'. ʿĀ'ishah told her nephew that the verse provides no evidence indicating whether the *saʿī* is a duty or not. She explains the reason for revealing it and why it is expressed in this way. It is revealed to address the situation of the Anṣār when they were reluctant to do the *saʿī* after having embraced Islam. She further explained that had the verse meant what ʿUrwah had thought, it would have been expressed in the negative. An action may be a duty, but a person may feel that to do it in a particular fashion is unacceptable. For example, a person may have missed Ẓuhr Prayer and its time has lapsed. He might think that it may not be offered close to sunset. If he enquires about this, he would be told: 'there is no harm if you do it now'. This answer is correct, and it does not mean negating the duty of praying Ẓuhr.

In hadith No. 2694 ʿĀ'ishah says to ʿUrwah: 'Do you know what this is all about? It is because in pre-Islamic days, the Anṣār used to enter into consecration at two of their idols, erected by the coast, called Isāf and Nā'ilah'. *Qadi* ʿIyāḍ said:

> This is how it occurs in this hadith, and it is wrong. The correct version is that mentioned in the other hadiths in this chapter, which is 'they consecrated for Manāt', or for 'Manāt al-Ṭāghiyah which is at al-Mushallal'. This is what is well-known. Manāt was an idol erected by ʿAmr ibn Laḥiy at al-Mushallal, close to the sea. This is explained in this hadith in *al-Muwaṭṭa'*. The Azd and Ghassān tribes used to consecrate themselves for the hajj at this idol. Ibn al-Kalbī said that 'Manāt is a rock belonging to the Hudhayl tribe at Qudayd'. Isāf and Nā'ilah were never close to the seaside. It is said that they were a man and a woman. The man was named Isāf ibn Baqā', or Ibn ʿAmr, and the woman was called Nā'ilah bint Dhi'b, or bint Sahl. It is said that they were from Jurhum and that they committed adultery inside the Kaʿbah, and God turned them into two stones. They were erected near the Kaʿbah. It is also said that they were placed at al-Ṣafa and al-Marwah so that they would remain a lesson for other people. Later, Quṣay ibn Kilāb moved them, placing one of them close to the Kaʿbah and the other at Zamzam. It is also said that he placed them at Zamzam and slaughtered a sacrifice before them, ordering people to worship them. When the Prophet took Makkah, he broke them into pieces.

CHAPTER 44

THE *SAʿĪ* IS NOT REPEATED

[2700–265]. (Dar al-Salam 2929) Muhammad ibn Ḥātim nar-rated: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘The Prophet (peace be upon him) and his Companions did not do the *saʿī* between al-Ṣafa and al-Marwah except once’.**

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ: لَمْ يَطُفِ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَلاَ أَصْحَابُهُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ إِلاَّ طَوَافًا وَاحِدًا.

[2701–000]. (Dar al-Salam 2930) ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr reported; Ibn Jurayj reported; with the same chain of transmission: **the same text. He said: ‘Except once, the first *saʿī*’.**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ. وَقَالَ: إِلاَّ طَوَافًا وَاحِدًا طَوَافَهُ الأَوَّلَ.

Text Explanation

This hadith provides the evidence confirming that the *saʿī* between al-Ṣafa and al-Marwah is not repeated, either during the hajj or the ʿumrah. It is enough to do it once. To repeat it is discouraged because it is a deviation, i.e., *bidʿah*. The hadith also gives evidence that the Prophet (peace be upon him) did his hajj in the *qirān* method. One *ṭawāf* and one *saʿī* are sufficient for a pilgrim choosing the *qirān* method for both his hajj and ʿumrah. We mentioned earlier that Abu Ḥanīfah and other scholars hold a different view on this point, but God knows best.

CHAPTER 45

CONTINUED *TALBIYAH* UNTIL THE DAY OF SACRIFICE

[2702–266]. (Dar al-Salam 2931) Yaḥyā ibn Ayyūb, Qutaybah ibn Saʿīd and Ibn Ḥujr narrated:[i] they said: Ismāʿīl narrated [H]. Also, Yaḥyā ibn Yaḥyā narrated (his text); he said: Ismāʿīl ibn Jaʿfar reported; from Muhammad ibn Abi Ḥarmalah; from Kurayb, Ibn ʿAbbās' *mawlā*; from Usāmah ibn Zayd. He said: **'I rode behind God's Messenger (peace be upon him) from Arafat. When God's Messenger reached the left passage, which is before Muzdalifah, he stopped and relieved himself. When he came back, I poured him water for his wudu. He performed a light wudu. I said: "Prayer, Messenger of God", but he said: "The prayer will be ahead". God's Messenger (peace be upon him) rode again until he reached Muzdalifah, where he prayed. Al-Faḍl rode behind God's Messenger (peace be upon him) in the morning after Jamʿ'.**

حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، وَابْنُ حُجْرٍ قَالُوا: حَدَّثَنَا إِسْمَاعِيلُ، ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ) قَالَ: أَخْبَرَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ مُحَمَّدِ بْنِ أَبِي حَرْمَلَةَ، عَنْ كُرَيْبٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، قَالَ: رَدِفْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ

عَرَفَاتٍ، فَلَمَّا بَلَغَ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ الشِّعْبَ الأَيْسَرَ، الَّذِي دُونَ الْـمُزْدَلِفَةِ، أَنَاخَ فَبَالَ، ثُمَّ جَاءَ فَصَبَبْتُ عَلَيْهِ الْوَضُوءَ فَتَوَضَّأَ وُضُوءًا خَفِيفًا، ثُمَّ قُلْتُ: الصَّلاَةَ يَا رَسُولَ اللهِ. فَقَالَ: «الصَّلاَةُ أَمَامَكَ». فَرَكِبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، حَتَّى أَتَى الْـمُزْدَلِفَةَ فَصَلَّى، ثُمَّ رَدِفَ الْفَضْلُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ غَدَاةَ جَمْعٍ.

[2703–000]. (Dar al-Salam[ii]) Kurayb said: ʿAbdullāh ibn ʿAbbās reported to me; from al-Faḍl; that **‘God’s Messenger (peace be upon him) continued to say the *talbiyah* until he reached the Jamrah’.**

قَالَ كُرَيْبٌ فَأَخْبَرَنِي عَبْدُ اللهِ بْنُ عَبَّاسٍ، عَنِ الْفَضْلِ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمْ يَزَلْ يُلَبِّي حَتَّى بَلَغَ الْجَمْرَةَ.

[2704–267]. (Dar al-Salam 2932) Isḥāq ibn Ibrāhīm and ʿAlī ibn Khashram narrated:[iii] both from ʿĪsā ibn Yūnus; Ibn Khashram said: ʿĪsā reported; from Ibn Jurayj; ʿAṭā’ reported to me; Ibn ʿAbbās reported to me; that **‘The Prophet (peace be upon him) took al-Faḍl behind him from Jamʿ. Ibn ʿAbbās told me that al-Faḍl told him that the Prophet (peace be upon him) continued to say the *talbiyah* until he stoned at the ʿAqabah Jamrah’.**

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَعَلِيُّ بْنُ خَشْرَمٍ، كِلاَهُمَا عَنْ عِيسَى بْنِ يُونُسَ. قَالَ ابْنُ خَشْرَمٍ: أَخْبَرَنَا عِيسَى،

عَنِ ابْنِ جُرَيْجٍ، اخْبَرَنِي عَطِاءٌ، اخْبَرَنِي ابْنُ عَبّاسٍ، انّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَرْدَفَ الْفَضْلَ مِنْ جَمْعٍ. قَالَ فَأَخْبَرَنِي ابْنُ عَبَّاسٍ أَنَّ الْفَضْلَ أَخْبَرَهُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمْ يَزَلْ يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ.

[2705–268]. (Dar al-Salam 2933) Qutaybah ibn Saʿīd narrated:[iv] Layth narrated [H]. Also, Ibn Rumḥ narrated; al-Layth reported to me; from Abu al-Zubayr; from Abu Maʿbad, Ibn ʿAbbās' *mawlā*; from Ibn ʿAbbās; from al-Faḍl ibn ʿAbbās who rode behind God's Messenger (peace be upon him). He said: **'On the night of Arafat and in the morning after Jamʿ, the Prophet said to people: "Maintain calmness", and he held back his she-camel until he entered Muḥassir (which is in Mina). He said: "Choose small pebbles to stone at the Jamrah".' He added: 'God's Messenger (peace be upon him) continued to say the *talbiyah* until he stoned at the Jamrah'.**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا لَيْثٌ، ح. وَحَدَّثَنَا ابْنُ رُمْحٍ، أَخْبَرَنِي اللَّيْثُ، عَنْ أَبِي الزُّبَيْرِ، عَنْ أَبِي مَعْبَدٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ الْفَضْلِ بْنِ عَبَّاسٍ، وَكَانَ رَدِيفَ رَسُولِ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ فِي عَشِيَّةِ عَرَفَةَ وَغَدَاةِ جَمْعٍ لِلنَّاسِ، حِينَ دَفَعُوا: «عَلَيْكُمْ بِالسَّكِينَةِ». وَهْوَ كَافٌّ نَاقَتَهُ حَتَّى دَخَلَ مُحَسِّرًا - وَهُوَ مِنْ مِنًى – قَالَ: «عَلَيْكُمْ بِحَصَى الْخَذْفِ الَّذِي يُرْمَى بِهِ الْجَمْرَةُ ». وَقَالَ لَمْ يَزَلْ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُلَبِّي حَتَّى رَمَى الْجَمْرَةَ.

[2706–000]. (Dar al-Salam[v]) Zuhayr ibn Ḥarb narrated: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Abu al-Zubayr reported to me; with the same chain of transmission: **the same text but did not mention: ‘God’s Messenger continued to say the *talbiyah* until he stoned at the Jamrah’ but added in his narration: ‘The Prophet (peace be upon him) pointed with his hand like a man throwing pebbles’.**

وَحَدَّثَنِيهِ زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، بِهَذَا الإِسْنَادِ. غَيْرَ أَنَّهُ لَمْ يَذْكُرْ فِي الْحَدِيثِ: وَلَمْ يَزَلْ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُلَبِّي حَتَّى رَمَى الْجَمْرَةَ. وَزَادَ فِي حَدِيثِهِ: وَالنَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُشِيرُ بِيَدِهِ كَمَا يَخْذِفُ الإِنْسَانُ.

[2707–269]. (Dar al-Salam 2934) Abu Bakr ibn Abi Shaybah narrated:[vi] Abu al-Aḥwaṣ narrated; from Ḥuṣayn; from Kathīr ibn Mudrik; from ʿAbd al-Raḥmān ibn Yazīd. He said: ‘‘**Abdullāh said when we were at Jamʿ: “I heard the one to whom the Surah The Cow was revealed say at this place: ‘I respond to You, my Lord. I respond to You’.”’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ حُصَيْنٍ، عَنْ كَثِيرِ بْنِ مُدْرِكٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ قَالَ: قَالَ عَبْدُ اللهِ وَنَحْنُ بِجَمْعٍ: سَمِعْتُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ يَقُولُ فِي هَذَا الْـمَقَامِ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ».

[2708–270]. (Dar al-Salam 2935) Surayj ibn Yūnus narrated: Hushaym narrated; Ḥuṣayn reported; from Kathīr ibn Mudrik al-Ashjaʿī; from ʿAbd al-Raḥmān ibn Yazīd; that **‘When ʿAbdullāh said the *talbiyah* as he was leaving Jamʿ, someone said: “Is this a bedouin?” ʿAbdullāh said: “Have people forgotten or are they in error? I heard the one to whom the Surah The Cow was revealed say at this place: “I respond to You, my Lord. I respond to You”.’**

Ḥasan al-Ḥulwānī narrated: Yaḥyā ibn Adam narrated; Sufyān narrated; from Ḥuṣayn; with the same chain of transmission: **the same text.**

وَحَدَّثَنَا سُرَيْجُ بْنُ يُونُسَ، حَدَّثَنَا هُشَيْمٌ، أَخْبَرَنَا حُصَيْنٌ، عَنْ كَثِيرِ بْنِ مُدْرِكٍ الأَشْجَعِيِّ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، أَنَّ عَبْدَ اللهِ لَبَّى حِينَ أَفَاضَ مِنْ جَمْعٍ. فَقِيلَ: أَعْرَابِيٌّ هَذَا؟ فَقَالَ عَبْدُ اللهِ: أَنَسِيَ النَّاسُ أَمْ ضَلُّوا؟ سَمِعْتُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ يَقُولُ فِي هَذَا الْـمَكَانِ «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ».

وَحَدَّثَنَاهُ حَسَنٌ الْحُلْوَانِيُّ، حَدَّثَنَا يَحْيَى بْنُ آدَمَ، حَدَّثَنَا سُفْيَانُ، عَنْ حُصَيْنٍ، بِهَذَا الإِسْنَادِ.

[2709–271]. (Dar al-Salam 2936) Yūsuf ibn Ḥammād al-Maʿnī narrated to me: Ziyād (meaning al-Bakkā’ī) narrated; from Ḥuṣayn; from Kathīr ibn Mudrik al-Ashjaʿī; from ʿAbd al-Raḥmān ibn Yazīd and al-Aswad ibn Yazīd; both said: **‘We heard at Jamʿ ʿAbdullāh ibn Masʿūd say: “I heard the one to whom the Surah The Cow was revealed say at this place: ‘I respond to You, my**

Lord. I respond to You’.” He then said the *talbiyah* and we said it with him’.

وَحَدَّثَنِيهِ يُوسُفُ بْنُ حَمَّادٍ الْـمَعْنِيُّ، حَدَّثَنَا زِيَادٌ (يَعْنِي الْبَكَّائِيَّ)، عَنْ حُصَيْنٍ، عَنْ كَثِيرِ بْنِ مُدْرِكٍ الأَشْجَعِيِّ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، وَالأَسْوَدِ بْنِ يَزِيدَ، قَالا: سَمِعْنَا عَبْدَ اللهِ بْنَ مَسْعُودٍ يَقُولُ بِجَمْعٍ: سَمِعْتُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ هَاهُنَا يَقُولُ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ». ثُمَّ لَبَّى وَلَبَّيْنَا مَعَهُ.

Text Explanation

In hadith No. 2702 Usāmah says that he rode behind the Prophet on his she-camel as they started on their journey back from Arafat. This shows that riding is preferable when leaving Arafat and that it is permissible to take someone else on one's mount, if it is strong enough. It is also permissible to ride behind people of distinction, and this is not contrary to good manners.

When the Prophet needed to renew his wudu, Usāmah poured the water for him and he 'performed a light wudu'. This means that the Prophet performed the wudu as he normally did for prayer, but this time, he made it light, economising with water, or washing every part once only. The hadith shows that it is permissible to have someone helping when one performs wudu. Our scholars said that help with one's wudu is of three types. The first is to have someone bringing the water from a well or from home or some other place. This is permissible and one cannot say that it is contrary to what is preferable. The second is to have someone helping in washing the parts of one's body included in the wudu. This is discouraged unless the person being helped has a valid reason, such as being ill. The third is to have someone pouring the water for him. If it is for a reason, then it is appropriate. If not, then it is contrary to what is preferable. Can we call it discouraged, i.e., *makrūh*? Two views are expressed by our Shāfiʿī scholars, and the more correct of these two views is that it is not discouraged because we have no confirmed order against it. The Prophet had such help on occasions, as in this case with Usāmah, al-Mughīrah ibn Shuʿbah during the Tabūk Expedition and al-Rubayyiʿ bint Muʿwwidh on another occasion. These were to show that it is permissible. In the Prophet's case, using such help is preferable because he is commanded to explain things to his community, but God knows best.

Usāmah, the narrator, said: 'I said: "Prayer, Messenger of God". He said: "The prayer is ahead of you".' This means that Usāmah reminded the Prophet of the Maghrib Prayer, thinking that the Prophet might have forgotten it as he delayed it beyond its customary time. The Prophet's answer makes it clear to him that on that particular night, the prayer should be offered at the place they had not yet reached, i.e., Muzdalifah. The hadith shows that it is recommended to remind one's superior of what he had left

undone so as to do it as usual, or to excuse oneself, or to explain what is right. The superior should tell the subordinate the reason for not doing what he normally does.

The Prophet said to Usāmah: ‘The prayer is ahead of you’. This means that at this particular place and on this particular night, it is a sunnah to delay Maghrib till ʿIshā time and to offer both prayers together at Muzdalifah. This is the scenario agreed upon by all Muslims. It is a sunnah, i.e., recommended, not a duty. If a pilgrim offers the two prayers on the way to Muzdalifah, or offers them separately at their respective times, his action is permissible. Some Mālikī scholars say that a person who offers Maghrib Prayer during its own time should repeat it, but this view is odd and lacking in support.

In hadith No. 2703 the narrator, al-Faḍl ibn ʿAbbās says that the Prophet ‘continued to say the *talbiyah* until he reached the Jamrah’. This hadith provides evidence that pilgrims continue to repeat the phrases of the *talbiyah* until they start to stone at the ʿAqabah Jamrah on the Day of Sacrifice. This is the view of al-Shāfiʿī, Sufyān al-Thawrī, Abu Ḥanīfah, Abu Thawr and the great majority of scholars from among the Prophet’s Companions, the *tābiʿīn*, the scholars of different regions and successive generations. Al-Ḥasan al-Baṣrī said: ‘A pilgrim continues to repeat the *talbiyah* until he has prayed Fajr on the Day of Arafat, then stops’. It is reported that ʿAlī, Ibn ʿUmar, ʿĀ’ishah, Mālik and the majority of Madinah scholars consider that a pilgrim repeats the *talbiyah* until midday on the Day of Arafat. He does not continue to do it once he starts his Arafat attendance. Ahmad, Isḥāq and some early scholars said that the *talbiyah* continues until the pilgrim finishes stoning at the ʿAqabah Jamrah. The evidence in support of the view of al-Shāfiʿī and the majority of scholars is this authentic hadith and the ones after it. The other scholars who express different views have no valid argument for contradicting these hadiths. It is imperative to follow the sunnah. In the other version, hadith No. 2704 al-Faḍl says that the Prophet ‘continued to say the *talbiyah* until he stoned at the ʿAqabah Jamrah’. This may be taken as an argument in support of the view of Ahmad, Isḥāq and others. However, the majority of scholars would answer that he meant ‘until he started to stone at the Jamrah’. Thus, the two hadiths are reconciled.

In hadith No. 2705 al-Faḍl refers to ‘the morning after Jamʿ’. As explained earlier, Jamʿ is another name of Muzdalifah. The Prophet instructed the people to ‘maintain calmness’, pointing out the need to maintain good manners in the way they move on that night. The same applies in all areas of overcrowding. The Prophet ‘held back his she-camel’ so that it did not move fast.

The Prophet told the people to choose small pebbles for their stoning. His words mean that the pebbles should be the size of peas, but our scholars say that if one stones with larger or smaller pebbles, the stoning is adequate, but this action is discouraged. In hadith No. 2706 ‘the Prophet pointed with his hand like a man throwing pebbles’. This is meant for further clarification as to the size of pebbles. It is not meant to show how stoning with small pebbles is done, but some of our scholars say this, and it is mistaken.

In hadith No. 2707 ʿAbdullāh ibn Masʿūd says: ‘I heard the one to whom the Surah The Cow was revealed say at this place: “I respond to You, my Lord. I respond to You”.’ This hadith provides evidence that it is recommended to continue to say the *talbiyah* after leaving Arafat. As stated earlier, this is the view of the majority of scholars. The hadith also shows that it is perfectly appropriate to say Surah The Cow, or Surah Women, etc. Some early scholars expressed disapproval, saying that one should say: ‘the surah in which the cow, or women, or the repast is mentioned’. The correct view is that saying Surah The Cow, or Surah The Repast, etc. is appropriate. This is the view of the great majority of scholars from the time of the Prophet’s Companions onwards. It is confirmed by authentic hadiths quoting the Prophet and his Companions, such as the hadith that says: ‘Whoever recites the last two verses of Surah The Cow at night will find them sufficient’. But, God knows best.

In this hadith and the two following ones, ʿAbdullāh ibn Masʿūd says: ‘I heard the one to whom Surah The Cow was revealed…’. He specifically mentioned this surah because most of the rulings concerning the hajj rituals are outlined in it. It is as if he is saying that this is the position of the person to whom the hajj rituals were explained and from whom the religion was learnt and who explained the rulings. You better take his word. What he meant is to answer those who claimed that the *talbiyah* stops at the point of

attendance at Arafat. This is the meaning of what Ibn Masʿūd said in response to the one who said: ‘Is this a bedouin?’, but God knows best.

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i. Related by al-Bukhari, 1669.
ii. In Dar al-Salam’s edition this hadith is not given a separate number but attached to the previous hadith.
iii. Related by al-Bukhari, 1685; Abu Dāwūd, 1815; al-Tirmidhī, 918; al-Nasā’ī, 3055.
iv. Related by al-Nasā’ī, 3020, 3052, 3058.
v. In Dar al-Salam’s edition this hadith is not given a separate number but attached to the previous hadith.
vi. Related by al-Nasā’ī, 3046.

CHAPTER 46

WHAT TO SAY ON THE JOURNEY FROM MINA TO ARAFAT

[2710–272]. (Dar al-Salam 2937) Ahmad ibn Ḥanbal and Muhammad ibn al-Muthannā narrated:[i] both said: ʿAbdullāh ibn Numayr narrated [H]. Also, Saʿīd ibn Yaḥyā al-Umawī narrated; my father narrated; both said: Yaḥyā ibn Saʿīd narrated; from ʿAbdullāh ibn Abi Salamah; from ʿAbdullāh ibn ʿAbdullāh ibn ʿUmar; from his father. He said: **‘We accompanied God’s Messenger (peace be upon him) in the morning from Mina to Arafat. Some of us said the *talbiyah* and some glorified God’.**

حَدَّثَنَا أَحْمَدُ بْنُ حَنْبَلٍ، وَمُحَمَّدُ بْنُ الْـمُثَنَّى، قَالا: حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، ح. وَحَدَّثَنَا سَعِيدُ بْنُ يَحْيَى الأُمَوِيُّ، حَدَّثَنِي أَبِي قَالا جَمِيعًا: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي سَلَمَةَ عَنْ عَبْدِ اللهِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، عَنْ أَبِيهِ قَالَ: غَدَوْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ مِنًى إِلَى عَرَفَاتٍ، مِنَّا الْـمُلَبِّي وَمِنَّا الْـمُكَبِّرُ.

[2711–273]. (Dar al-Salam 2938) Muhammad ibn Ḥātim, Ḥārūn ibn ʿAbdullāh and Yaʿqūb al-Dawraqī narrated to me: they said: Yazīd ibn Ḥārūn reported; ʿAbd al-ʿAzīz ibn Abi Salamah reported; from ʿUmar ibn Ḥusayn; from ʿAbdullāh ibn Abi Salamah; from

ʿAbdullāh ibn ʿAbdullāh ibn ʿUmar; from his father. He said: **‘We were with God’s Messenger on the morning of the Day of Arafat – some glorified God and some said the *talbiyah*. As for ourselves, we glorified God. I said: “[I swear] by God, your attitude is amazing! How come you did not put to him the question, what did you see God’s Messenger (peace be upon him) doing?”’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، وَهَارُونُ بْنُ عَبْدِ اللهِ، وَيَعْقُوبُ الدَّوْرَقِيُّ، قَالُوا: أَخْبَرَنَا يَزِيدُ بْنُ هَارُونَ، أَخْبَرَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي سَلَمَةَ، عَنْ عُمَرَ بْنِ حُسَيْنٍ، عَنْ عَبْدِ اللهِ بْنِ، أَبِي سَلَمَةَ، عَنْ عَبْدِ اللهِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، قَالَ: كُنَّا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي غَدَاةِ عَرَفَةَ، فَمِنَّا الْـمُكَبِّرُ وَمِنَّا الْـمُهَلِّلُ. فَأَمَّا نَحْنُ فَنُكَبِّرُ. قَالَ: قُلْتُ وَاللهِ لَعَجَبًا مِنْكُمْ، كَيْفَ لَمْ تَقُولُوا لَهُ مَاذَا رَأَيْتَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَصْنَعُ!

[2712–274]. (Dar al-Salam 2939) Yaḥyā ibn Yaḥyā narrated:[ii] he said: I read out to Mālik; from Muhammad ibn Abi Bakr al-Thaqafī; that he asked Anas ibn Mālik as they were going from Mina to Arafat: **‘What did you do on this day when you were with God’s Messenger (peace be upon him)?’ He said: ‘Any of us might say the *talbiyah* and none objected to him, and any might glorify God, and none objected’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ مُحَمَّدِ بْنِ أَبِي بَكْرٍ الثَّقَفِيِّ، أَنَّهُ سَأَلَ أَنَسَ بْنَ مَالِكٍ، وَهُمَا غَادِيَانِ مِنْ مِنًى إِلَى عَرَفَةَ: كَيْفَ كُنْتُمْ تَصْنَعُونَ

فِي هَذَا اليَوْمِ مَعَ رَسُولِ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ؟ فَقَالَ: كَانَ يُهِلُّ الْـمُهِلُّ مِنَّا فَلاَ يُنْكَرُ عَلَيْهِ وَيُكَبِّرُ الْـمُكَبِّرُ مِنَّا فَلاَ يُنْكَرُ عَلَيْهِ.

[2713–275]. (Dar al-Salam 2940) Surayj ibn Yūnus narrated to me: ʿAbdullāh ibn Rajā’ narrated; from Mūsā ibn ʿUqbah; Muhammad ibn Abi Bakr narrated to me; he said: **‘I said to Anas ibn Mālik on the Day of Arafat: “What do you say regarding *talbiyah* today?” He said: “I did this walk with the Prophet (peace be upon him) and his Companions – some of us glorified God and some said the *talbiyah*. None objected to the other”.’**

وَحَدَّثَنِي سُرَيْجُ بْنُ يُونُسَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ رَجَاءٍ، عَنْ مُوسَى بْنِ عُقْبَةَ، حَدَّثَنِي مُحَمَّدُ بْنُ أَبِي بَكْرٍ، قَالَ: قُلْتُ لأَنَسِ بْنِ مَالِكٍ غَدَاةَ عَرَفَةَ: مَا تَقُولُ فِي التَّلْبِيَةِ هَذَا الْيَوْمَ؟ قَالَ: سِرْتُ هَذَا الْـمَسِيرَ مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَأَصْحَابِهِ، فَمِنَّا الْـمُكَبِّرُ وَمِنَّا الْـمُهَلِّلُ، وَلاَ يَعِيبُ أَحَدُنَا عَلَى صَاحِبِهِ.

Text Explanation

These hadiths make it clear that both the glorification of God and the *talbiyah* are desirable to repeat as one travels from Mina to Arafat on the Day of Arafat. The *talbiyah* is more preferable. The hadiths contradict the view of those who suggest that the *talbiyah* is stopped after Fajr on the Day of Arafat, but God knows best.

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i. Related by Abu Dāwūd, 1816.

ii. Related by al-Bukhari, 970 and 1659; al-Nasā'ī, 3000, 3001; Ibn Mājah, 3008.

CHAPTER 47

PROCEEDING FROM ARAFAT TO MUZDALIFAH

[2714–276]. (Dar al-Salam 2941) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Mūsā ibn ʿUqbah; from Kurayb, Ibn ʿAbbās' *mawlā*; from Usāmah ibn Zayd; that he heard him say: **'God's Messenger (peace be upon him) pushed on from Arafat, and when he reached the mountain passage, he stopped and relieved himself. He then performed wudu but did not do it in excess. I said to him: "Prayer", but he said: "The prayer is ahead of you". When he arrived in Muzdalifah, he dismounted and performed wudu, perfecting it. The prayer was announced, and he prayed Maghrib. Everyone then sat his camel at its right place. Then the ʿIshā Prayer was announced and he prayed it. He did not pray anything between the two [obligatory prayers]'.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، أَنَّهُ سَمِعَهُ يَقُولُ: دَفَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ عَرَفَةَ، حَتَّى إِذَا كَانَ بِالشِّعْبِ نَزَلَ فَبَالَ، ثُمَّ تَوَضَّأَ وَلَمْ يُسْبِغِ الْوُضُوءَ. فَقُلْتُ لَهُ: الصَّلاَةَ. قَالَ: «الصَّلاَةُ أَمَامَكَ». فَرَكِبَ، فَلَمَّا جَاءَ الْـمُزْدَلِفَةَ نَزَلَ

فَتَوَضّا، فَاسْبَغَ الوُضُوءَ. ثَمَّ اقِيمَتِ الصَّلاَةُ فَصَلى الْـمَغْرِبَ، ثُمَّ أَنَاخَ كُلُّ إِنْسَانٍ بَعِيرَهُ فِي مَنْزِلِهِ، ثُمَّ أُقِيمَتِ الْعِشَاءُ فَصَلاَّهَا. وَلَمْ يُصَلِّ بَيْنَهُمَا شَيْئًا.

[2715–277]. (Dar al-Salam 2942) Muhammad ibn Rumḥ nar-rated: al-Layth reported; from Yaḥyā ibn Saʿīd; from Mūsā ibn ʿUqbah, al-Zubayr's *mawlā*; from Kurayb, Ibn ʿAbbās' *mawlā*; from Usāmah ibn Zayd. He said: **'After proceeding from Arafat, God's Messenger (peace be upon him) went into one of those passages to relieve himself. Then I poured him water. I said: "Are you going to pray?" He said: "The prayer place is still ahead of you".'**

وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، أَخْبَرَنَا اللَّيْثُ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ مُوسَى بْنِ عُقْبَةَ مَوْلَى الزُّبَيْرِ، عَنْ كُرَيْبٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، قَالَ: انْصَرَفَ رَسُولُ اللَهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَعْدَ الدَّفْعَةِ مِنْ عَرَفَاتٍ إِلَى بَعْضِ تِلْكَ الشِّعَابِ لِحَاجَتِهِ، فَصَبَبْتُ عَلَيْهِ مِنَ الْـمَاءِ. فَقُلْتُ: أَتُصَلِّي؟ فَقَالَ: «الْـمُصَلَّى أَمَامَكَ».

[2716–278]. (Dar al-Salam 2943) Abu Bakr ibn Abi Shaybah narrated: he said: ʿAbdullāh ibn al-Mubārak narrated [H]. Also, Abu Kurayb narrated (his text); Ibn al-Mubārak narrated; from Ibrāhīm ibn ʿUqbah; from Kurayb, Ibn ʿAbbās' *mawlā*. He said: **'I heard Usāmah ibn Zayd say: "God's Messenger (peace be upon him) proceeded on his way from Arafat. When he reached the [mountain] passage, he dismounted and relieved himself". (Usāmah did not say that he shed the water.) He said: "he called for water and performed wudu, but it was not in excess".**

I said: “Messenger of God, the prayer”. He said: “The prayer is ahead of you”. He marched on until he reached Jamʿ where he prayed Maghrib and ʿIshā’.

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، قَالَ حَدَّثَنَا عَبْدُ اللهِ بْنُ الْـمُبَارَكِ، ح. وَحَدَّثَنَا أَبُو كُرَيْبٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا ابْنُ الْـمُبَارَكِ، عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ مَوْلَى ابْنِ عَبَّاسٍ، قَالَ: سَمِعْتُ أُسَامَةَ بْنَ زَيْدٍ يَقُولُ: أَفَاضَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ عَرَفَاتٍ، فَلَمَّا انْتَهَى إِلَى الشِّعْبِ نَزَلَ فَبَالَ - وَلَمْ يَقُلْ أُسَامَةُ أَرَاقَ الْـمَاءَ – قَالَ: فَدَعَا بِمَاءٍ فَتَوَضَّأَ وُضُوءًا لَيْسَ بِالْبَالِغِ. قَالَ: فَقُلْتُ: يَا رَسُولَ اللهِ، الصَّلاَةَ. قَالَ: «الصَّلاَةُ أَمَامَكَ». قَالَ: ثُمَّ سَارَ حَتَّى بَلَغَ جَمْعًا، فَصَلَّى الْـمَغْرِبَ وَالْعِشَاءَ.

[2717–279]. (Dar al-Salam 2944) Isḥāq ibn Ibrāhīm narrated: Yaḥyā ibn Adam reported; Zuhayr Abu Khaythamah narrated; Ibrāhīm ibn ʿUqbah narrated; Kurayb reported to me; that he asked Usāmah ibn Zayd: **‘How did you proceed when God’s Messenger (peace be upon him) took you behind him the night after Arafat?’ He said: ‘We reached the passage where people stop for Maghrib. The Prophet sat his she-camel and relieved himself (he did not say: shed the water). He then called for water and performed a wudu that was not too full. I said: “Messenger of God, the prayer”. He said: “The prayer is ahead of you”. He rode until we reached Muzdalifah. He announced the Maghrib Prayer. The people rested their mounts where they stopped but did not untie their luggage, and he announced the later ʿIshā Prayer. He offered the prayer, then they put down their things”. I said: “What did you do in the morning?” He**

said: “He took al-Faḍl ibn ʿAbbās behind him, and I went on walking in Quraysh’s passage”.’

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا يَحْيَى بْنُ آدَمَ، حَدَّثَنَا زُهَيْرٌ أَبُو خَيْثَمَةَ، حَدَّثَنَا إِبْرَاهِيمُ بْنُ عُقْبَةَ، أَخْبَرَنِي كُرَيْبٌ أَنَّهُ سَأَلَ أُسَامَةَ بْنَ زَيْدٍ: كَيْفَ صَنَعْتُمْ حِينَ رَدِفْتَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَشِيَّةَ عَرَفَةَ؟ فَقَالَ جِئْنَا الشِّعْبَ الَّذِي يُنِيخُ النَّاسُ فِيهِ لِلْـمَغْرِبِ، فَأَنَاخَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَاقَتَهُ، وَبَالَ - وَمَا قَالَ أَهَرَاقَ الْـمَاءَ - ثُمَّ دَعَا بِالْوَضُوءِ فَتَوَضَّأَ وُضُوءًا لَيْسَ بِالْبَالِغِ، فَقُلْتُ: يَا رَسُولَ اللهِ، الصَّلاَةَ. فَقَالَ: «الصَّلاَةُ أَمَامَكَ». فَرَكِبَ حَتَّى جِئْنَا الْـمُزْدَلِفَةَ، فَأَقَامَ الْـمَغْرِبَ. ثُمَّ أَنَاخَ النَّاسُ فِي مَنَازِلِهِمْ وَلَمْ يَحُلُّوا، حَتَّى أُقَامَ الْعِشَاءَ الآخِرَةَ، فَصَلَّى. ثُمَّ حَلُّوا. قُلْتُ: فَكَيْفَ فَعَلْتُمْ حِينَ أَصْبَحْتُمْ؟ قَالَ: رَدِفَهُ الْفَضْلُ بْنُ عَبَّاسٍ، وَانْطَلَقْتُ أَنَا فِي سُبَّاقِ قُرَيْشٍ عَلَى رِجْلَيَّ.

[2718–280]. (Dar al-Salam 2945) Isḥāq ibn Ibrāhīm narrated: Wakīʿ reported; Sufyān narrated; from Muhammad ibn ʿUqbah; from Kurayb; from Usāmah ibn Zayd; that **‘When God’s Messenger (peace be upon him) reached the mountain passage where governors stop, he stopped and relieved himself (he did not say: shed [water]). He then called for water and did a light wudu. I said: “Messenger of God, the prayer”. He said: “The prayer is ahead of you”.’**

حَدّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، اخْبَرَنَا وَكِيعٌ، حَدّثَنَا سُفْيَانُ، عَنْ مُحَمَّدِ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمَّا أَتَى النَّقْبَ الَّذِي يَنْزِلُهُ الأُمَرَاءُ نَزَلَ فَبَالَ - وَلَمْ يَقُلْ أَهْرَاقَ - ثُمَّ دَعَا بِوَضُوءٍ، فَتَوَضَّأَ وُضُوءًا خَفِيفًا. فَقُلْتُ: يَا رَسُولَ اللهِ، الصَّلاَةَ. فَقَالَ: «الصَّلاَةُ أَمَامَكَ».

[2719–281]. (Dar al-Salam 2946) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from al-Zuhrī; from ʿAṭā’, Sibāʿ’s *mawlā*; from Usāmah ibn Zayd; that **‘He was riding behind God’s Messenger (peace be upon him) when he proceeded from Arafat. When he reached the passage, he stopped his she-camel and went to relieve himself. When he came back, I poured water for him from the container, and he performed the wudu. He then mounted, went to Muzdalifah where he combined the prayers of Maghrib and ʿIshā’.**

حَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ عَطَاءٍ مَوْلَى سِبَاعٍ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، أَنَّهُ كَانَ رَدِيفَ رَسُولِ اللهِ صَلَّى اَللهُ عَلَيْهِ وَسَلَّمَ حِينَ أَفَاضَ مِنْ عَرَفَةَ. فَلَمَّا جَاءَ الشِّعْبَ أَنَاخَ رَاحِلَتَهُ، ثُمَّ ذَهَبَ إِلَى الْغَائِطِ. فَلَمَّا رَجَعَ صَبَبْتُ عَلَيْهِ مِنَ الإِدَاوَةِ فَتَوَضَّأَ، ثُمَّ رَكِبَ ثُمَّ أَتَى الْـمُزْدَلِفَةَ فَجَمَعَ بِهَا بَيْنَ الْـمَغْرِبِ وَالْعِشَاءِ.

[2720–282]. (Dar al-Salam 2947) Zuhayr ibn Ḥarb narrated to me:[ii] Yazīd ibn Ḥārūn narrated; ʿAbd al-Malik ibn Abi Sulaymān reported; from ʿAṭā’; from Ibn ʿAbbās; that **‘God’s Messenger**

(peace be upon him) moved on from Arafat, taking Usāmah behind him. Usāmah said: “He continued to move in that condition until he reached Jamʿ”.’

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، أَخْبَرَنَا عَبْدُ الْـمَلِكِ بْنُ أَبِي سُلَيْمَانَ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَفَاضَ مِنْ عَرَفَةَ، وَأُسَامَةُ رِدْفُهُ. قَالَ أُسَامَةُ: فَمَا زَالَ يَسِيرُ عَلَى هَيْئَتِهِ، حَتَّى أَتَى جَمْعًا.

[2721–283]. (Dar al-Salam 2948) Abu al-Rabīʿ al-Zahrānī and Qutaybah ibn Saʿīd narrated:[iii] both from Ḥammād ibn Zayd; Abu al-Rabīʿ said: Ḥammād narrated; Hishām narrated; from his father; he said: Usāmah was asked in my presence, or he said: **‘I asked Usāmah ibn Zayd, as God’s Messenger (peace be upon him) took him behind him from Arafat. I said: “How did God’s Messenger (peace be upon him) move on when he left Arafat?” He said: “He moved rather slowly, but when he found space, he moved somewhat faster”.’**

وَحَدَّثَنَا أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، جَمِيعًا عَنْ حَمَّادِ بْنِ زَيْدٍ. قَالَ أَبُو الرَّبِيعِ حَدَّثَنَا حَمَّادٌ، حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، قَالَ: سُئِلَ أُسَامَةُ وَأَنَا شَاهِدٌ، أَوْ قَالَ سَأَلْتُ أُسَامَةَ بْنَ زَيْدٍ، وَكَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَرْدَفَهُ مِنْ عَرَفَاتٍ. قُلْتُ: كَيْفَ كَانَ يَسِيرُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حِينَ أَفَاضَ مِنْ عَرَفَةَ؟ قَالَ: كَانَ يَسِيرُ الْعَنَقَ، فَإِذَا وَجَدَ فَجْوَةً نَصَّ.

[2722–284]. (Dar al-Salam 2949) Abu Bakr ibn Abi Shaybah narrated: ʿAbdah ibn Sulaymān, ʿAbdullāh ibn Numayr and Ḥumayd ibn ʿAbd al-Raḥmān narrated; from Hishām ibn ʿUrwah; with the same chain of transmission: **the same text but adds in Ḥumayd's narration that Hishām explained the difference of speed between the two types mentioned.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، وَعَبْدُ اللهِ بْنُ نُمَيْرٍ، وَحُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ هِشَامِ بْنِ عُرْوَةَ، بِهَذَا الإِسْنَادِ. وَزَادَ فِي حَدِيثِ حُمَيْدٍ قَالَ هِشَامٌ: وَالنَّصُّ فَوْقَ الْعَنَقِ.

[2723–285]. (Dar al-Salam 2950) Yaḥyā ibn Yaḥyā narrated:[iv] Sulaymān ibn Bilāl reported; from Yaḥyā ibn Saʿīd; ʿAdiy ibn Thābit reported to me; that ʿAbdullāh ibn Yazīd al-Khaṭmī narrated to him; that Abu Ayyūb mentioned to him that **'He prayed with God's Messenger (peace be upon him) Maghrib and ʿIshā at Muzdalifah during the Farewell Pilgrimage'.**

Qutaybah and Ibn Rumḥ narrated: from al-Layth ibn Saʿd; from Yaḥyā ibn Saʿīd; with the same chain of transmission: **the same text, but Ibn Rumḥ said in his narration: 'from ʿAbdullāh ibn Yazīd al-Khaṭmī, who was a governor of Kufah during the reign of Ibn al-Zubayr'.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا سُلَيْمَانُ بْنُ بِلاَلٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَخْبَرَنِي عَدِيُّ بْنُ ثَابِتٍ، أَنَّ عَبْدَ اللهِ بْنَ يَزِيدَ الْخَطْمِيَّ، حَدَّثَهُ أَنَّ أَبَا أَيُّوبَ أَخْبَرَهُ أَنَّهُ صَلَّى مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ الْـمَغْرِبَ وَالْعِشَاءَ بِالْـمُزْدَلِفَةِ .

وَحَدَّثَنَاهُ قُتَيْبَةُ، وَابْنُ، رُمْحٍ عَنِ اللَّيْثِ بْنِ سَعْدٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، بِهَذَا الإِسْنَادِ. قَالَ ابْنُ رُمْحٍ فِي رِوَايَتِهِ عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ الْخَطْمِيِّ، وَكَانَ أَمِيرًا عَلَى الْكُوفَةِ عَلَى عَهْدِ ابْنِ الزُّبَيْرِ.

[2724–286]. (Dar al-Salam 2951) Yaḥyā ibn Yaḥyā narrated:[v] he said: I read out to Mālik; from Ibn Shihāb; from Sālim ibn ʿAbdullāh; from Ibn ʿUmar; that **‘God’s Messenger offered Maghrib and ʿIshā Prayers together, at Muzdalifah’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ صَلَّى الْـمَغْرِبَ وَالْعِشَاءَ بِالْـمُزْدَلِفَةِ جَمِيعًا.

[2725–287]. (Dar al-Salam 2952) Ḥarmalah ibn Yaḥyā narrated to me:[vi] Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; that ʿUbaydullāh ibn ʿAbdullāh ibn ʿUmar reported to him; that his father said: **‘God’s Messenger (peace be upon him) combined Maghrib with ʿIshā at Jamʿ, with no sunnah prayer between them. He prayed Maghrib in three *rakʿahs* and ʿIshā in two *rakʿahs*’. ʿAbdullāh used to pray the same in Muzdalifah until he was gathered to God.**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَنَّ عبيدَ الله بن عبد الله بنَ عُتبة أَخْبَرَهُ، أَنَّ أَبَاهُ قَالَ: جَمَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَيْنَ الْـمَغْرِبِ وَالْعِشَاءِ بِجَمْعٍ. لَيْسَ بَيْنَهُمَا

سَجْدَةٌ، وَصَلى الـمَغْرِبَ ثَلاَثَ رَكعَاتٍ، وَصَلى العِشَاءَ رَكْعَتَيْنِ. فَكَانَ عَبْدُ اللَهِ يُصَلِّي بِجَمْعٍ كَذَلِكَ، حَتَّى لَحِقَ بِاللهِ تَعَالَى.

[2726–288]. (Dar al-Salam 2953) Muhammad ibn al-Muthannā narrated:[vii] ʿAbd al-Raḥmān ibn Mahdī narrated; Shuʿbah narrated; from al-Ḥakam and Salamah ibn Kuhayl; from Saʿīd ibn Jubayr; that **‘He prayed Maghrib together with ʿIshā at Jamʿ, saying the *iqāmah*. He then narrated from Ibn ʿUmar that he prayed the same and that Ibn ʿUmar narrated that the Prophet (peace be upon him) did the same’.**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، وَسَلَمَةَ بْنِ كُهَيْلٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ أَنَّهُ صَلَّى الْـمَغْرِبَ بِجَمْعٍ وَالْعِشَاءَ بِإِقَامَةٍ. ثُمَّ حَدَّثَ عَنِ ابْنِ عُمَرَ أَنَّهُ صَلَّى مِثْلَ ذَلِكَ. وَحَدَّثَ ابْنُ عُمَرَ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ صَنَعَ مِثْلَ ذَلِكَ.

[2727–289]. (Dar al-Salam[viii]) Zuhayr ibn Ḥarb narrated: Wakīʿ narrated; Shuʿbah narrated; with the same chain of transmission: **the same text**. **He said: ‘He prayed both of them with one *iqāmah*’.**

وَحَدَّثَنِيهِ زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا شُعْبَةُ، بِهَذَا الإِسْنَادِ، وَقَالَ صَلاَّهُمَا بِإِقَامَةٍ وَاحِدَةٍ.

[2728–290]. (Dar al-Salam 2954) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; al-Thawrī reported; from Salamah ibn Kuhayl;

from Saʿīd ibn Jubayr; from Ibn ʿUmar; he said: **‘God’s Messenger (peace be upon him) combined Maghrib and ʿIshā prayers at Jamʿ, praying Maghrib in three *rakʿahs* and ʿIshā in two *rakʿahs*, and with one *iqāmah*’.**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا الثَّوْرِيُّ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ، قَالَ: جَمَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَيْنَ الْـمَغْرِبِ وَالْعِشَاءِ بِجَمْعٍ. صَلَّى الْـمَغْرِبَ ثَلاَثًا، وَالْعِشَاءَ رَكْعَتَيْنِ، بِإِقَامَةٍ وَاحِدَةٍ.

[2729–291]. (Dar al-Salam 2955) Abu Bakr ibn Abi Shaybah narrated: ʿAbdullāh ibn Numayr narrated; Ismāʿīl ibn Abi Khālid narrated; from Abu Isḥāq. He said: **‘Saʿīd ibn Jubayr said: ‘We moved on with Ibn ʿUmar until we reached Jamʿ. He led us praying Maghrib and ʿIshā with one *iqāmah*, then finished. He said: “Such did God’s Messenger (peace be upon him) lead our prayer at this place”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ، عَنْ أَبِي إِسْحَاقَ، قَالَ: قَالَ سَعِيدُ بْنُ جُبَيْرٍ: أَفَضْنَا مَعَ ابْنِ عُمَرَ حَتَّى أَتَيْنَا جَمْعًا، فَصَلَّى بِنَا الْـمَغْرِبَ وَالْعِشَاءَ بِإِقَامَةٍ وَاحِدَةٍ، ثُمَّ انْصَرَفَ فَقَالَ: هَكَذَا صَلَّى بِنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي هَذَا الْـمَكَانِ.

Text Explanation

This chapter focuses on the various versions of the hadith narrated by Usāmah ibn Zayd about moving on after attendance at Arafat and offering the Maghrib and ʿIshā Prayers together at Muzdalifah. This is unanimously agreed upon, but scholars differ as to its ruling. Our school considers it recommended. If a pilgrim offers these two prayers during the time range of Maghrib, or on the way to Muzdalifah, or each prayer during its own time range, his action is valid, but he misses out on what is better and more preferable. This has already been explained earlier.

In hadith No. 2714: ‘The prayer was announced, and he prayed Maghrib. Everyone then sat his camel at its right place. Then the ʿIshā Prayer was announced and he prayed it. He did not pray anything between the two [obligatory prayers]’. In hadith No. 2727 and No. 2728 one *iqāmah* is announced for both prayers. Earlier, in the long hadith narrated by Jābir and describing the Prophet’s pilgrimage in detail, which is No. 2571 it is mentioned that the Prophet arrived in Muzdalifah where he offered Maghrib and ʿIshā with one *adhān* and two *iqāmahs*. This report by Jābir is given preference over the other two narrations because 1) Jābir gives additional knowledge and an addition by a reliable narrator is accepted; and 2) Jābir has taken care to give a full and detailed description of the Prophet’s pilgrimage. Therefore, his narration is given greater weight. This is the correct view of our Shāfiʿī School: it is desirable to call the *adhān* before the first of the two prayers and to announce the *iqāmah* for each of them. Thus, they are offered with one *adhān* and two *iqāmahs*. The hadith mentioning one *iqāmah* should be understood to mean one *iqāmah* for each prayer. This is necessary to reconcile the two reports, as well as to reconcile it with Jābir’s narration. We explained this in commenting on Jābir’s long hadith, but God knows best.

In the same hadith, No. 2714 ‘When he arrived in Muzdalifah, he dismounted and performed wudu, perfecting it. The prayer was announced, and he prayed Maghrib. Everyone then sat his camel at its right place. Then the ʿIshā Prayer was announced and he prayed it. He did not pray anything between the two [obligatory prayers]’. This makes it clear that it is recommended to offer the Maghrib and ʿIshā Prayers when one arrives at

Muzdalifah. It is permissible to delay them, even to shortly before the break of dawn. The hadith also makes clear that leaving a time gap between the two prayers is acceptable if they are offered during the time range of the second of the two. This is based on the fact that this hadith mentions that having prayed Maghrib, ‘everyone sat his camel at its right place’. If the two prayers are combined in the time range of the first prayer, they must be offered one after the other, without a time gap. If a time gap occurs, the combination is invalid, and the second prayer must be offered in its own time range.

The hadith mentions: ‘He did not pray anything between the two obligatory prayers’. This means that when two obligatory prayers are offered together, one after the other, no sunnah prayer is offered between them. According to our school, it is recommended to offer the regular sunnah prayer, but this is done after the obligatory ones have been completed, not between them. If Ẓuhr and ʿAṣr are combined, the regular sunnah offered before Ẓuhr is offered before the two, and God knows best.

In this hadith and later ones, Usāmah mentions that the Prophet dismounted and relieved himself. In most of them, he uses the word ‘urinated’ and in some, other narrators add that he ‘did not say: shed water’. This suggests that narrations should quote the exact wording and use the words that are normally avoided because of vulgarity, particularly to remove any possible ambiguity.

In hadith No. 2717 ‘he announced the later ʿIshā Prayer’. This makes it clear that it is correct to use the description, ‘later ʿIshā’. Al-Aṣmaʿī and other linguists objected to this usage, describing it as slang. They argued that it should be ‘ʿIshā’ only, and it cannot be described as ‘later’. This is a mistake on the part of these linguists. It is perfectly right to use this description, as it occurs in this hadith and in many others. We explained this in its appropriate place in the Book of Prayer.

In hadith No. 2721 Usāmah describes how the Prophet moved on from Arafat to Muzdalifah, saying: ‘He moved rather slowly, but when he found space, he moved somewhat faster’. Usāmah uses the word ʿ*anaq* for the first type and the word *naṣṣ* for the second. These are descriptions of different camel speeds. In the next hadith, the narrator Hishām mentions that the second is faster. ʿ*Anaq* is gentler. The hadith makes clear that it is

recommended to drive gently when there is much traffic, but when one finds space, one is recommended to speed up so as to attend to other rituals and have more time, in case of more congestion later on, but God knows best.

Hadith No. 2725 mentions that when the Prophet combined Maghrib and ʿIshā, he prayed Maghrib in three *rakʿahs* and shortened ʿIshā to two *rakʿahs*. This hadith provides evidence that Maghrib is offered in three *rakʿahs* in all situations. It is never shortened. This is unanimously agreed upon by all Muslims. The hadith also makes clear that shortening ʿIshā and other four-*rakʿah* prayers is more preferable, but God knows best.

Transmission

The chain of transmission of hadith No. 2719 includes: ‘from ʿAṭā’, Sibāʿ’s *mawlā*; from Usāmah ibn Zayd’. This is how it occurs in most copies, but in some it occurs as ‘Umm Sibāʿ’s *mawlā*’. Both are contrary to what is better known about him, which is ‘ʿAṭā’, the *mawlā* of Banī Sibāʿ’, i.e., the *mawlā* of the Sibāʿ clan. This is how he is mentioned in al-Bukhari’s *Tārīkh*, Ibn Abi Ḥātim’s *al-Jarḥ wal-Taʿdīl*, Khalaf al-Wāsiṭī in *al-Aṭrāf*, al-Ḥumaydī in *al-Jamʿ Bayn al-Ṣaḥīḥayn*, al-Samʿānī in *al-Ansāb* and others. His name is ʿAṭā’ ibn Yaʿqūb, but he is also said to be ʿAṭā’ ibn Nāfiʿ. Al-Bukhari, Khalf and al-Ḥumaydī give both versions of his name, while Ibn Abi Ḥātim, al-Samʿānī and others give one version of his name, ʿAṭā’ ibn Yaʿqūb. All of them say that he is ʿAṭā’ al-Kaykhārānī or al-Kawkhārānī. They all say that it is the name of a place in Yemen, but al-Samʿānī says that it is a village in Yemen called Kaykharān. Yaḥyā ibn Maʿīn said ʿAṭā’ is a reliable narrator, but God knows best.

The chain of transmission of hadith No. 2729 is as follows: ‘Abu Bakr ibn Abi Shaybah narrated: ʿAbdullāh ibn Numayr narrated; Ismāʿīl ibn Abi Khālid narrated; from Abu Isḥāq; he said: Saʿīd ibn Jubayr said’. This is one of the hadiths questioned by al-Dāraquṭnī. He said: ‘To me, this is a mistake by Ismāʿīl. A number of scholars including Shuʿbah, al-Thawrī and Isrā’īl differ with him, narrating the hadith from Abu Isḥāq, from ʿAbdullāh ibn Mālik, from Ibn ʿUmar. Although Ismāʿīl is reliable, these narrators are more conversant with the hadiths narrated by Abu Isḥāq’. This is what al-Dāraquṭnī says. However, as we explained in similar cases, it is possible that Abu Isḥāq learned the hadith in both ways and narrated them both. Whatever the case may be, the text of the hadith is authentic and there can be no objection to it, but God knows best.

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i. Related by al-Bukhari, 181, 1667 and in longer versions, 139, 1672; Abu Dāwūd, 1925; al-Nasā’ī, 3024, 3025.

ii. Related by al-Bukhari, 1543; al-Nasā’ī, 3018.

iii. Related by al-Bukhari, 1666, 2999, 4413; Abu Dāwūd, 1923; al-Nasā'ī, 3023, 3051; Ibn Mājah, 3017.

iv. Related by al-Bukhari, 1674, 4414; al-Nasā'ī, 604 and in a shorter version, 3026; Ibn Mājah, 3020.

v. Related by Abu Dāwūd, 1926; al-Nasā'ī, 606.

vi. Related by al-Nasā'ī, 3029.

vii. Related by Abu Dāwūd, 1930, 1931, 1932; al-Tirmidhī, 888; al-Nasā'ī, 482, 483, 656, 657, 658, 605, 3030.

viii. In Dar al-Salam's edition, this hadith is attached to the previous one, without a separate number.

CHAPTER 48

PRAYING FAJR EARLY AT MUZDALIFAH

[2730–292]. (Dar al-Salam 2956) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated: all from Abu Muʿāwiyah; Yaḥyā said: Abu Muʿāwiyah reported; from al-Aʿmash; from ʿUmārah; from ʿAbd al-Raḥmān ibn Yazīd; from ʿAbdullāh. He said: **‘I never saw God’s Messenger (peace be upon him) offering a prayer other than at its right time, except twice: combining Maghrib and ʿIshā at Jamʿ, and he prayed Fajr on that day before its time’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ. قَالَ يَحْيَى أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ عُمَارَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، عَنْ عَبْدِ اللهِ، قَالَ: مَا رَأَيْتُ رَسُولَ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ صَلَّى صَلاَةً إِلاَّ لِمِيقَاتِهَا، إِلاَّ صَلاَتَيْنِ: صَلاَةَ الْـمَغْرِبِ وَالْعِشَاءِ بِجَمْعٍ، وَصَلَّى الْفَجْرَ يَوْمَئِذٍ قَبْلَ مِيقَاتِهَا.

[2731–000]. (Dar al-Salam 2957) ʿUthmān ibn Abi Shaybah and Isḥāq ibn Ibrāhīm narrated: both from Jarīr; from al-Aʿmash; with this chain of transmission: **the same text, saying: ‘Before its time, when it was still dark’.**

وَحَدَّثَنَا عُثْمَانُ بْنُ ابِي شَيْبَةَ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، جَمِيعًا عَنْ جَرِيرٍ، عَنِ الأَعْمَشِ، بِهَذَا الإِسْنَادِ: وَقَالَ قَبْلَ وَقْتِهَا بِغَلَسٍ.

Text Explanation

In this hadith, ʿAbdullāh ibn Masʿūd says that he never saw the Prophet offering a prayer before its time, except twice. What he meant is that the Prophet offered Maghrib at the time of ʿIshā at Jamʿ, which is another name of Muzdalifah. On the same occasion, he prayed Fajr before its customary time, but after making sure that it was after the break of dawn. Although ʿAbdullāh says, 'before its time', he means before its customary time, not before dawn break. To offer it before dawn is unacceptable, as all Muslims agree. Therefore, the hadith must be understood as I have explained.

It is confirmed in some narrations of this hadith, related by al-Bukhari in his *Ṣaḥīḥ*, that Ibn Masʿūd prayed Fajr at dawn break in Muzdalifah, then said: 'God's Messenger (peace be upon him) prayed Fajr at this time'. In another version: 'When the dawn broke, he said: "God's Messenger (peace be upon him) did not pray at this time except this prayer at this place on this day"', but God knows best.

In all these narrations, there is evidence supporting Abu Ḥanīfah's view that it is preferable to delay the Fajr Prayer and offer it towards the end of its time, except on this day. Our view, which is also the view of the majority of scholars, is that it is recommended to offer the Fajr Prayer at the beginning of its time range, on all days, but it is even more so on this day. We included earlier, in the Book of Prayer, a full explanation of this question, citing the relevant evidence. What is recommended on this day is to do it even earlier. Our scholars explain these reports as meaning that the Prophet (peace be upon him) used to delay the Fajr Prayer a little on other days, until Bilāl came to him, but on this day, he did not wait because of the many duties that become due on this day. So, in order to have more time to attend to these duties, he was keen to pray Fajr earlier than usual, but God knows best.

Ḥanafī scholars may cite this hadith as evidence in support of their view that combining prayers during travel is not permissible. They base their argument on the fact that Ibn Masʿūd was one of the Prophet's Companions who stayed with him most of the time. He tells us in this hadith that he never saw him combining prayers except on this occasion. The view of our

school and the majority of scholars is that combining prayers is permissible in all legitimate travel which permits shortening four-*rakʿah* prayers. We discussed this question and cited its evidence in the Book of Prayer. The answer to their argument based on this hadith is that it is understood. They consider ‘what is understood’ as invalid, while we say that it is valid, except where it is contradicted by a spoken statement. Several authentic hadiths confirm the permissibility of combining prayers when travelling. Moerover, the apparent meaning of this hadith is set aside because all Muslims agree that the Prophet combined the Ẓuhr and ʿAṣr Prayers at Arafat, but God knows best.

CHAPTER 49

WHO MAY LEAVE MUZDALIFAH EARLY?

[2732–293]. (Dar al-Salam 2958) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[i] Aflaḥ (meaning Ibn Ḥumayd); from al-Qāsim; from ʿĀ'ishah; that she said: **'Sawdah sought God's Messenger's permission to leave Muzdalifah before him and before people's crowded movement. She was a heavy woman (al-Qāsim said: "heavy" means slow). He gave her permission. She started before him, while we stayed until the morning and proceeded when he proceeded. Had I requested God's Messenger's permission, like Sawdah did, and I could move on by his permission, it would have given me much pleasure'.**

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا أَفْلَحُ (يَعْنِي ابْنَ حُمَيْدٍ)، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، أَنَّهَا قَالَتِ: اسْتَأْذَنَتْ سَوْدَةُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَيْلَةَ الْـمُزْدَلِفَةِ، تَدْفَعُ قَبْلَهُ وَقَبْلَ حَطْمَةِ النَّاسِ. وَكَانَتِ امْرَأَةً ثَبِطَةً - يَقُولُ الْقَاسِمُ وَالثَّبِطَةُ الثَّقِيلَةُ – قَالَ: فَأَذِنَ لَهَا، فَخَرَجَتْ قَبْلَ دَفْعِهِ. وَحَبَسَنَا حَتَّى أَصْبَحْنَا، فَدَفَعْنَا بِدَفْعِهِ، وَلأَنْ أَكُونَ اسْتَأْذَنْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَمَا اسْتَأْذَنَتْهُ سَوْدَةُ، فَأَكُونَ أَدْفَعُ بِإِذْنِهِ، أَحَبُّ إِلَىَّ مِنْ مَفْرُوحٍ بِهِ.

[2733–294]. (Dar al-Salam 2959) Isḥāq ibn Ibrāhīm and Muhammad ibn al-Muthannā narrated: both from al-Thaqafī; Ibn al-Muthannā said: ʿAbd al-Wahhāb narrated; Ayyūb nar-rated; from ʿAbd al-Raḥmān ibn al-Qāsim; from al-Qāsim; from ʿĀ’ishah. She said: **‘Sawdah was a large, heavy woman. She requested God’s Messenger to allow her to proceed from Jamʿ during the night, and he gave her permission’.** ʿĀ’ishah said: ‘I wish I had requested God’s Messenger permission, like Sawdah did’. ʿĀ’ishah never proceeded during pilgrimage except with the Imam.

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَمُحَمَّدُ بْنُ الْـمُثَنَّى، جَمِيعًا عَنِ الثَّقَفِيِّ. قَالَ ابْنُ الْـمُثَنَّى حَدَّثَنَا عَبْدُ الْوَهَّابِ، حَدَّثَنَا أَيُّوبُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، قَالَتْ: كَانَتْ سَوْدَةُ امْرَأَةً ضَخْمَةً ثَبِطَةً، فَاسْتَأْذَنَتْ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ تُفِيضَ مِنْ جَمْعٍ بِلَيْلٍ، فَأَذِنَ لَهَا. فَقَالَتْ عَائِشَةُ: فَلَيْتَنِي كُنْتُ اسْتَأْذَنْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَمَا اسْتَأْذَنَتْهُ سَوْدَةُ. وَكَانَتْ عَائِشَةُ لاَ تُفِيضُ إِلاَّ مَعَ الإِمَامِ.

[2734–295]. (Dar al-Salam 2960) Ibn Numayr narrated:[ii] my father narrated; ʿUbaydullāh ibn ʿUmar narrated; from ʿAbd al-Raḥmān ibn al-Qāsim; from al-Qāsim; from ʿĀ’ishah. She said: **‘I wish I had sought God’s Messenger’s permission, like Sawdah did. I would then have prayed Fajr at Mina and stoned at the Jamrah before people arrived’.** ʿĀ’ishah was asked: ‘Did Sawdah request his permission?’ She said: ‘Yes. She was a heavy and slow woman. She requested God’s Messenger’s permission and he permitted her’.

وَحَدّثَنَا ابْنُ نُمَيْرٍ، حَدّثَنَا ابِي، حَدّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ قَالَتْ: وَدِدْتُ أَنِّي كُنْتُ اسْتَأْذَنْتُ رَسُولَ اللَهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَمَا اسْتَأْذَنَتْهُ سَوْدَةُ، فَأُصَلِّي الصُّبْحَ بِمِنًى، فَأَرْمِي الْجَمْرَةَ قَبْلَ أَنْ يَأْتِيَ النَّاسُ. فَقِيلَ لِعَائِشَةَ فَكَانَتْ سَوْدَةُ اسْتَأْذَنَتْهُ؟ قَالَتْ: نَعَمْ، إِنَّهَا كَانَتِ امْرَأَةً ثَقِيلَةً ثَبِطَةً، فَاسْتَأْذَنَتْ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَأَذِنَ لَهَا.

[2735–296]. (Dar al-Salam 2961) Abu Bakr ibn Abi Shaybah narrated:[iii] Wakīʿ narrated [H]. Also, Zuhayr ibn Ḥarb narrated to me; ʿAbd al-Raḥmān narrated; both from Sufyān; from ʿAbd al-Raḥmān ibn al-Qāsim: with the same chain of transmission: **a similar text.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا وَكِيعٌ، ح. وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، كِلاَهُمَا عَنْ سُفْيَانَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، بِهَذَا الإِسْنَادِ: نَحْوَهُ.

[2736–297]. (Dar al-Salam 2962) Muhammad ibn Abi Bakr al-Muqaddamī narrated:[iv] Yaḥyā (who is al-Qaṭṭān) narrated; from Ibn Jurayj; ʿAbdullāh, Asmā''s *mawlā* narrated. He said: **'Asmā' said to me, as she was by the place at Muzdalifah: "Has the moon set?" I said: "No". She prayed for a while, then said: "Son, has the moon set?" I said: "Yes". She said: "Let us move on". We proceeded until she stoned at the Jamrah. She then prayed at her place. I said to her: "Lady, we moved on too early". She**

said: “No, son. The Prophet (peace be upon him) granted permission to women”.’

حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي بَكْرٍ الْـمُقَدَّمِيُّ، حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ)، عَنِ ابْنِ جُرَيْجٍ، حَدَّثَنِي عَبْدُ اللهِ مَوْلَى أَسْمَاءَ، قَالَ: قَالَتْ لِي أَسْمَاءُ، وَهْىَ عِنْدَ دَارِ الْـمُزْدَلِفَةِ: هَلْ غَابَ الْقَمَرُ؟ قُلْتُ لا. فَصَلَّتْ سَاعَةً، ثُمَّ قَالَتْ: يَا بُنَيَّ، هَلْ غَابَ الْقَمَرُ؟ قُلْتُ نَعَمْ. قَالَتِ: ارْحَلْ بِي. فَارْتَحَلْنَا حَتَّى رَمَتِ الْجَمْرَةَ، ثُمَّ صَلَّتْ فِي مَنْزِلِهَا. فَقُلْتُ لَهَا: أَىْ هَنْتَاهْ، لَقَدْ غَلَّسْنَا. قَالَتْ: كَلاَّ أَىْ بُنَيَّ، إِنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَذِنَ لِلظُّعُنِ.

[2737–000]. (Dar al-Salam[v]) ʿAlī ibn Khashram narrated: ʿĪsā ibn Yūnus reported; from Ibn Jurayj; with the same chain of transmission. In this narration, she said: **‘No, son. God’s Prophet (peace be upon him) granted permission to his women’.**

وَحَدَّثَنِيهِ عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى بْنُ يُونُسَ، عَنِ ابْنِ جُرَيْجٍ، بِهَذَا الإِسْنَادِ. وَفِي رِوَايَتِهِ قَالَتْ: لا أَىْ بُنَيَّ، إِنَّ نَبِيَّ اللَّهِ صَلَّى اللهُ عَلَيْـهِ وَسَـلَّمَ أَذِنَ لِظُعُنِهِ.

[2738–298]. (Dar al-Salam 2963) Muhammad ibn Ḥātim nar-rated to me:[vi] Yaḥyā ibn Saʿīd narrated [H]. Also, ʿAlī ibn Khashram narrated; ʿĪsā reported; all from Ibn Jurayj; ʿAṭā’ reported to me; that Ibn Shawwāl reported to him that **‘He visited Umm Ḥabībah and she told him that the Prophet (peace be upon him) sent her from Jamʿ during the night’.**

حَدّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدّثَنَا يَحْيَى بْنُ سَعِيدٍ، ح. وَحَدَّثَنِي عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى، جَمِيعًا عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي عَطَاءٌ، أَنَّ ابْنَ شَوَّالٍ أَخْبَرَهُ أَنَّهُ دَخَلَ عَلَى أُمِّ حَبِيبَةَ، فَأَخْبَرَتْهُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَعَثَ بِهَا مِنْ جَمْعٍ بِلَيْلٍ.

[2739–299]. (Dar al-Salam 2964) Abu Bakr ibn Abi Shaybah narrated: Sufyān ibn ʿUyaynah narrated; ʿAmr ibn Dīnār narrated [H]. Also, ʿAmr al-Nāqid narrated; Sufyān narrated; from ʿAmr ibn Dīnār; from Sālim ibn Shawwāl; from Umm Ḥabībah. She said: **‘We did it during the life of the Prophet (peace be upon him) – we proceeded from Jamʿ to Mina in the dark’.**

In al-Nāqid’s narration: **‘We proceeded from Muzdalifah in the dark’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ، ح. وَحَدَّثَنَا عَمْرٌو النَّاقِدُ، حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ سَالِمِ بْنِ شَوَّالٍ، عَنْ أُمِّ حَبِيبَةَ قَالَتْ: كُنَّا نَفْعَلُهُ عَلَى عَهْدِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، نُغَلِّسُ مِنْ جَمْعٍ إِلَى مِنًى.

وَفِي رِوَايَةِ النَّاقِدِ: نُغَلِّسُ مِنْ مُزْدَلِفَةَ.

[2740–300]. (Dar al-Salam 2965) Yaḥyā ibn Yaḥyā and Qutaybah ibn Saʿīd narrated:[vii] both from Ḥammād; Yaḥyā said: Ḥammād ibn Zayd reported; from ʿUbaydullāh ibn Abi Yazīd. He said: **‘I heard Ibn ʿAbbās say: “God’s Messenger (peace be upon him) sent**

me with the heavy ones (or he said: with the weak ones) from Jamʿ during the night”.’

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَقُتَيْبَةُ بْنُ سَعِيدٍ، جَمِيعًا عَنْ حَمَّادٍ. قَالَ يَحْيَى أَخْبَرَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ عُبَيْدِ اللهِ بْنِ أَبِي يَزِيدَ، قَالَ سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ: بَعَثَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي الثَّقَلِ - أَوْ قَالَ فِي الضَّعَفَةِ - مِنْ جَمْعٍ بِلَيْلٍ.

[2741–301]. (Dar al-Salam 2966) Abu Bakr ibn Abi Shaybah narrated: Sufyān ibn ʿUyaynah narrated; ʿUbaydullāh ibn Abi Yazīd narrated; that he heard Ibn ʿAbbās say: **‘I was one of those God’s Messenger (peace be upon him) sent with the weak members of his family’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا عُبَيْدُ اللَهِ بْنُ أَبِي يَزِيدَ، أَنَّهُ سَمِعَ ابْنَ عَبَّاسٍ يَقُولُ: أَنَا مِمَّنْ قَدَّمَ رَسُولُ اللَهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي ضَعَفَةِ أَهْلِهِ.

[2742–302]. (Dar al-Salam 2967) Abu Bakr ibn Abi Shaybah narrated:[viii] Sufyān ibn ʿUyaynah narrated; ʿAmr narrated; from ʿAṭā’; from Ibn ʿAbbās. He said: **‘I was among the ones God’s Messenger (peace be upon him) sent forward with the weaker ones of his family’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا عَمْرٌو، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: كُنْتُ

فِيمَنْ قَدّمَ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ فِي ضَعَفَةِ أَهْلِهِ.

[2743–303]. (Dar al-Salam 2968) ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr reported; Ibn Jurayj reported; ʿAṭā’ reported to me; that Ibn ʿAbbās said: **‘God’s Messenger (peace be upon him) sent me before dawn from Jamʿ taking the Pro-phet’s luggage’. I said: ‘Were you informed that Ibn ʿAbbās said: “He sent me with the night still long?”’ He said: ‘No. Precisely as I said: “before dawn”.’ I said to him: ‘Did Ibn ʿAbbās say: “We stoned at the Jamrah before Fajr? And where he prayed Fajr?”’ He said: ‘No. Precisely as I said’.**

وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عَطَاءٌ، أَنَّ ابْنَ عَبَّاسٍ قَالَ: بَعَثَ بِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِسَحَرٍ مِنْ جَمْعٍ، فِي ثَقَلِ نَبِيِّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. قُلْتُ: أَبَلَغَكَ أَنَّ ابْنَ عَبَّاسٍ قَالَ بَعَثَ بِي بِلَيْلٍ طَوِيلٍ؟ قَالَ لا، إِلاَّ كَذَلِكَ بِسَحَرٍ. قُلْتُ لَهُ فَقَالَ ابْنُ عَبَّاسٍ: رَمَيْنَا الْجَمْرَةَ قَبْلَ الْفَجْرِ؟ وَأَيْنَ صَلَّى الْفَجْرَ؟ قَالَ لا، إِلاَّ كَذَلِكَ.

[2744–304]. (Dar al-Salam 2969) Abu al-Ṭāhir and Ḥarmalah ibn Yaḥyā narrated to me:[ix] both said: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; that Sālim ibn ʿAbdullāh reported to him; that ‘ʿ**Abdullāh ibn ʿUmar used to send the weaker members of his family early. They would stop at al-Mashʿar al-Ḥarām in Muzdalifah during the night. They would glorify God as they pleased, then proceed before the Imam stopped there and before he proceeded’.**

وَحَدّثَنِي ابُو الطاهِرِ، وَحَرْمَلةُ بْنُ يَحْيَى، قَالا: اخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَنَّ سَالِمَ بْنَ عَبْدِ اللهِ أَخْبَرَهُ أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ كَانَ يُقَدِّمُ ضَعَفَةَ أَهْلِهِ، فَيَقِفُونَ عِنْدَ الْـمَشْعَرِ الْحَرَامِ بِالْـمُزْدَلِفَةِ بِاللَّيْلِ. فَيَذْكُرُونَ اللَّهَ مَا بَدَا لَهُمْ، ثُمَّ يَدْفَعُونَ قَبْلَ أَنْ يَقِفَ الإِمَامُ، وَقَبْلَ أَنْ يَدْفَعَ. فَمِنْهُمْ مَنْ يَقْدَمُ مِنًى لِصَلاَةِ الْفَجْرِ، وَمِنْهُمْ مَنْ يَقْدَمُ بَعْدَ ذَلِكَ. فَإِذَا قَدِمُوا رَمَوُا الْجَمْرَةَ. وَكَانَ ابْنُ عُمَرَ يَقُولُ أَرْخَصَ فِي أُولَئِكَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

Hadith No. 2733 mentions that Sawdah, the Prophet's wife, requested his permission to proceed from Muzdalifah during the night and he granted her request. This provides evidence that it is permissible to proceed from Muzdalifah before dawn. Al-Shāfiʿī and his disciples said that it is permissible to proceed before midnight and it is permissible to do the stoning at the ʿAqabah Jamrah after midnight. They cite this hadith as the basis of their view.

Scholars differ in their views concerning staying the night before the Day of Sacrifice at Muzdalifah. The correct view of the Shāfiʿī School is that it is a duty, and a pilgrim who omits to do this is required to slaughter a sacrifice in compensation, but his hajj is valid. The same view is expressed by the scholars of Kufah and scholars of Hadith. Some scholars say that it is a sunnah, which means that a pilgrim who omits it misses out on what earns reward but commits no sin and need not give any compensation in any form. This is also said by al-Shāfiʿī and some sholars. Other scholars said that a person who omits staying the night in Muzdalifah invalidates his hajj. This is reported from al-Nakhaʿī and others. It is shared by two of our Shāfiʿī leading scholars. They are Abu ʿAbd al-Raḥmān, who is al-Shāfiʿī's daughter's son, and Abu Bakr ibn Khuzaymah. On the other hand, it is further reported from ʿAṭā' and al-Awzāʿī that staying the night at Muzdalifah is neither an essential obligation, nor a duty, nor a sunnah, nor anything meritorious. This view is absolutely wrong.

Scholars also differ as to the length of time that it is necessary to stay at Muzdalifah. The correct view according to al-Shāfiʿī is 'some period of the second half of the night'. Another opinion of al-Shāfiʿī is that it is some period of the second half or later, up to sunrise. A third opinion of his is 'most of the night'. Three opinions are also reported from Mālik: 1) all the night; 2) most of the night; and 3) a very short while.

In hadith No. 2736 the narrator warns Asmā' bint Abu Bakr that they departed Muzdalifah too early, as they did so before the break of dawn. She said that it did not happen. They left at the time permitted. She explained this, saying that the Prophet permitted women to depart Muzdalifah early.

She uses the Arabic word *ẓuʿun*, which is the plural form of *ẓaʿīnah*, which means ‘woman’. Originally the word referred to the howdah in which a woman stays when she travels on camel back. The word was later used to refer to the woman herself and this has become its meaning. Now, a man’s *ẓaʿīnah* is his wife.

Hadith No. 2744 says: ‘ʿAbdullāh ibn ʿUmar used to send the weaker members of his family early. They would stop at al-Mashʿar al-Ḥarām in Muzdalifah during the night. They would glorify God as they pleased, then proceed’. We mentioned earlier that according to Fiqh scholars, al-Mashʿar al-Ḥarām refers particularly to Quzaḥ, which is a mountain at Muzdalifah. However, commentators and historians say that it refers to Muzdalifah in its entirety. The hadiths mentioning it support both views, and this hadith in particular confirms the view of Fiqh scholars. The hadith confirms that it is a sunnah to stop at al-Mashʿar al-Ḥarām, where one should use one’s time supplicating and glorifying God.

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i. Related by al-Bukhari, 1681.
ii. Related by al-Nasā’ī, 3049.
iii. Related by al-Bukhari, 1680; Ibn Mājah, 3027.
iv. Related by al-Bukhari, 1679.
v. In Dar al-Salam’s edition, this hadith is attached to the previous one with no separate number.
vi. Related by al-Nasā’ī, 3035, 3036.
vii. Related by al-Bukhari, 1357, 1678, 1856, 4587; Abu Dāwūd, 1939; al-Nasā’ī, 3032.
viii. Related by al-Nasā’ī, 3033 and 3048; Ibn Mājah, 3026.
ix. Related by al-Bukhari, 1676.

CHAPTER 50

STONING AT THE ʿAQABAH JAMRAH

[2745–305]. (Dar al-Salam 2970) Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[i] both said: Abu Muʿāwiyah narrated; from al-Aʿmash; from Ibrāhīm; from ʿAbd al-Raḥmān ibn Yazīd. He said: **‘ʿAbdullāh ibn Masʿūd did the stoning at the ʿAqabah Jamrah from the middle of the valley, throwing seven pebbles and glorifying God as he threw each pebble. He was told that some people threw their pebbles from above it. ʿAbdullāh ibn Masʿūd replied: “By God, other than whom there is no deity, this is the place of the one to whom the Surah The Cow was revealed”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ قَالا: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ قَالَ: رَمَى عَبْدُ اللهِ بْنُ مَسْعُودٍ جَمْرَةَ الْعَقَبَةِ مِنْ بَطْنِ الْوَادِي بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ. قَالَ فَقِيلَ لَهُ: إِنَّ أُنَاسًا يَرْمُونَهَا مِنْ فَوْقِهَا. فَقَالَ عَبْدُ اللهِ بْنُ مَسْعُودٍ: هَذَا وَالَّذِي لاَ إِلَهَ غَيْرُهُ مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

[2746–306]. (Dar al-Salam 2971) Minjāb ibn al-Ḥārith al-Tamīmī narrated: Ibn Mushir reported; from al-Aʿmash. He said: **‘I heard**

al-Ḥajjāj ibn Yūsuf speaking on the platform. He said: “Keep the Qur’an in the same order as it was given by Gabriel: the surah in which the cow is mentioned, the surah in which women are mentioned, the surah in which Āl ʿImrān are mentioned”.’

He said: **‘I met Ibrāhīm and told him what he [i.e., al-Ḥajjāj] said. He criticized him and said: “ʿAbd al-Raḥmān ibn Yazīd narrated to me that ‘he was with ʿAbdullāh ibn Masʿūd when he arrived at the ʿAqabah Jamrah. He went into the middle of the valley and stood facing across [the Jamrah]. He stoned it from the middle of the valley with seven pebbles, glorifying God as he threw each pebble’.” I said: “Abu ʿAbd al-Raḥmān, some people are throwing their pebbles from above”. He said: “By God, other than whom there is no deity, this is the place of the one to whom the Surah The Cow was revealed”.’**

وَحَدَّثَنَا مِنْجَابُ بْنُ الْحَارِثِ التَّمِيمِيُّ، أَخْبَرَنَا ابْنُ مُسْهِرٍ، عَنِ الأَعْمَشِ قَالَ: سَمِعْتُ الْحَجَّاجَ بْنَ يُوسُفَ يَقُولُ وَهُوَ يَخْطُبُ عَلَى الْـمِنْبَرِ: أَلِّفُوا الْقُرْآنَ كَمَا أَلَّفَهُ جِبْرِيلُ: السُّورَةُ الَّتِي يُذْكَرُ فِيهَا الْبَقَرَةُ، وَالسُّورَةُ الَّتِي يُذْكَرُ فِيهَا النِّسَاءُ، وَالسُّورَةُ الَّتِي يُذْكَرُ فِيهَا آلُ عِمْرَانَ. قَالَ فَلَقِيتُ إِبْرَاهِيمَ فَأَخْبَرْتُهُ بِقَوْلِهِ، فَسَبَّهُ وَقَالَ: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ يَزِيدَ أَنَّهُ كَانَ مَعَ عَبْدِ اللهِ بْنِ مَسْعُودٍ، فَأَتَى جَمْرَةَ الْعَقَبَةِ، فَاسْتَبْطَنَ الْوَادِيَ، فَاسْتَعْرَضَهَا فَرَمَاهَا مِنْ بَطْنِ الْوَادِي بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ. قَالَ: فَقُلْتُ يَا أَبَا عَبْدِ الرَّحْمَنِ، إِنَّ النَّاسَ يَرْمُونَهَا مِنْ فَوْقِهَا. فَقَالَ: هَذَا وَالَّذِي لاَ إِلَهَ غَيْرُهُ مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

[2747–000]. (Dar al-Salam 2972) Yaʿqūb al-Dawraqī narrated to me: Ibn Abi Zā’idah narrated [H]. Also, Ibn Abi ʿUmar narrated; Sufyān narrated; both from al-Aʿmash. He said: **‘I heard al-Ḥajjāj say: “Do not say Surah The Cow…”’ and they narrated the hadith in the same text as Ibn Mushir’s narration.**

وَحَدَّثَنِي يَعْقُوبُ الدَّوْرَقِيُّ، حَدَّثَنَا ابْنُ أَبِي زَائِدَةَ، ح. وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، كِلاَهُمَا عَنِ الأَعْمَشِ، قَالَ: سَمِعْتُ الْحَجَّاجَ يَقُولُ: لا تَقُولُوا سُورَةُ الْبَقَرَةِ. وَاقْتَصَّا الْحَدِيثَ بِمِثْلِ حَدِيثِ ابْنِ مُسْهِرٍ.

[2748–307]. (Dar al-Salam 2973) Abu Bakr ibn Abi Shaybah narrated: Ghundar narrated; from Shuʿbah [H]. Also, Muham-mad ibn al-Muthannā and Ibn Bashshār narrated; they said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from al-Ḥakam; from Ibrāhīm; from ʿAbd al-Raḥmān ibn Yazīd; that he performed the hajj with ʿAbdullāh. He said: **‘He [meaning ʿAbdullāh ibn Masʿūd] did the stoning at the Jamrah with seven pebbles. He stood with the Kaʿbah to his left and Mina to his right. He said: “This is the place of the one to whom the Surah The Cow was revealed”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، ح. وَحَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى، وَابْنُ بَشَّارٍ قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، أَنَّهُ حَجَّ مَعَ عَبْدِ اللهِ. قَالَ: فَرَمَى الْجَمْرَةَ بِسَبْعِ حَصَيَاتٍ، وَجَعَلَ الْبَيْتَ عَنْ يَسَارِهِ، وَمِنًى

عَنْ يَمِينِهِ، وَقَالَ هَذَا مَقَامُ الذِي انْزِلتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

[2749–308]. (Dar al-Salam 2974) ʿUbaydullāh ibn Muʿādh narrated: my father narrated; Shuʿbah narrated; with the same chain of transmission: **the same text, except that he said: ‘When he arrived at the ʿAqabah Jamrah…’.**

وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ مُعَاذٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، بِهَذَا الإِسْنَادِ. غَيْرَ أَنَّهُ قَالَ: فَلَمَّا أَتَى جَمْرَةَ الْعَقَبَةِ.

[2750–309]. (Dar al-Salam 2975) Abu Bakr ibn Abi Shaybah narrated: Abu al-Muḥayyāh narrated [H]. Also, Yaḥyā ibn Yaḥyā narrated (his text); Yaḥyā ibn Yaʿlā Abu al-Muḥayyāh reported; from Salamah ibn Kuhayl; from ʿAbd al-Raḥmān ibn Yazīd. He said: **‘ʿAbdullāh was told that some people stoned the Jamrah from above the ʿAqabah. ʿAbdullāh did his stoning from the middle of the valley, then said: “By Him other than whom there is no deity, it was from here that the one to whom the Surah The Cow was revealed stoned it”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو الْـمُحَيَّاةِ، ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا يَحْيَى بْنُ يَعْلَى أَبُو الْـمُحَيَّاةِ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ قَالَ: قِيلَ لِعَبْدِ اللَهِ إِنَّ نَاسًا يَرْمُونَ الْجَمْرَةَ مِنْ فَوْقِ الْعَقَبَةِ. قَالَ: فَرَمَاهَا عَبْدُ اللهِ مِنْ بَطْنِ الْوَادِي، ثُمَّ قَالَ: مِنْ هَاهُنَا، وَالَّذِي لاَ إِلَهَ غَيْرُهُ، رَمَاهَا الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ.

Text Explanation

This hadith, in its different versions, highlights several points, the most important of which is that it confirms the stoning of the ʿAqabah Jamrah on the Day of Sacrifice. This is unanimously agreed upon as a duty, and it is one of the three requirements for releasing oneself from *iḥrām* or consecration. These are: (1) the stoning at the ʿAqabah Jamrah, which is a duty; (2) *ṭawāf al-ifāḍah* along with the *saʿī* (if one has not already performed the *saʿī*) and (3) shaving one's head – according to scholars who say that this is a ritual of the hajj, which is the correct view. If one omits the stoning at the ʿAqabah Jamrah, allowing the Tashrīq days to elapse without performing it, one's hajj is valid, but one is required to slaughter a sheep in sacrifice as compensation for the omission. This is the view of al-Shāfiʿī and the majority of scholars. Some Mālikī scholars say that the *saʿī* is an essential obligation, which means that the hajj is invalid if it is omitted. Ibn Jarīr al-Ṭabarī mentions that some expressed the view that the stoning is merely a means to ensure that the pilgrim glorifies God. According to this view, if one glorifies God without stoning, this is enough. Something similar is also suggested to have been said by ʿĀ'ishah, but the correct and well-known view is the one we mentioned first.

Other interesting points these hadiths highlight is that the stoning is performed with seven pebbles, which is unanimously agreed upon. Likewise, it is recommended to glorify God as one throws each pebble. This is the view of our Shāfiʿī school, the Mālikī School and all scholars. *Qadi* ʿIyāḍ said: 'Scholars are unanimous that if one does not glorify God as one throws the pebbles, no harm is done'. It is also recommended to stand in the middle of the valley when throwing the pebbles, with Makkah to one's left and Mina to one's right, facing the ʿAqabah and the Jamrah. This is what is correct according to the Shāfiʿī school, and it is endorsed by the majority of scholars. Some scholars of our Shāfiʿī School have said that it is desirable to stand facing the Jamrah with one's back to Makkah, while other Shāfiʿī scholars said it is desirable to face the Kaʿbah with the Jamrah to one's right. The correct view is the one we mentioned first. The unanimous view is that whatever one's position is when throwing the pebbles, the stoning is correct. This means one may stand facing the Jamrah or keep it to one's

right or left, or be above, below or the middle of it. As regards the other Jamrahs that need to be stoned in the following days, it is desirable to throw the pebbles from above them.

Ibn Masʿūd refers to the Prophet as the one ‘to whom the Surah The Cow was revealed’. We explained this a little earlier,[ii] but God knows best.

In hadith No. 2746 one of the narrators in the chain of transmission, al-Aʿmash says: ‘I heard al-Ḥajjāj ibn Yūsuf speaking on the platform. He said: “Keep the Qur’an in the same order as it was given by Gabriel: the surah in which the cow is mentioned, the surah in which women are mentioned, the surah in which Āl ʿImrān are mentioned”. He [i.e,. al-Aʿmash] said: I met Ibrāhīm and told him what he [i.e., al-Ḥajjāj] said. He criticized him’. *Qadi* ʿIyāḍ said:

> If al-Ḥajjāj meant by his words, ‘in the same order as it was given by Gabriel’, the arrangement of the verses in each surah and the order in which each surah appears in the copies of the Qur’an, this is something to which all Muslims agree. They are also agreed that it is as stated by the Prophet (peace be upon him). If he means the arrangement of the surahs as they occur one after the other, some scholars of Fiqh and scholars of the Qur’an say that it was given by Gabriel to the Prophet. Other scholars disagree, saying that it is the result of efforts by the leading scholars of the first generation, not by Divine order.
>
> The fact that al-Ḥajjāj mentions the Surah Women (which is the fourth surah in the Qur’an) before Āl ʿImrān (which is the third surah) clearly indicates that he was referring only to the arrangement of the verses in each surah. Al-Ḥajjāj followed the arrangement in the master copies written during ʿUthmān’s reign. He never deviated from the master copies. It is clear that he was referring to the arrangement of the verses in each surah, not to the arrangement of the surahs themselves.

Hadith No. 2748 mentions that Ibn Masʿūd did his stoning at the Jamrah, standing ‘with the Kaʿbah to his left and Mina to his right’. This provides evidence in support of the correct view mentioned earlier, explaining the right position to take when performing the stoning.

i. Related by al-Bukhari, 1747, 1748, 1749, 1750; Abu Dāwūd, 1974; al-Tirmidhī, 901; al-Nasā'ī, 3070, 3071, 3072, 3073; Ibn Mājah, 3030.

ii. The explanation was given in Volume 6. In short, Ibn Masʿūd refers to this surah because it outlines most of the duties and rituals included in the hajj. Since the stoning action is one of the duties of the hajj, Ibn Masʿūd confirmed that he was doing it as the Prophet had done it. This reminds us of the fact that all the actions of the hajj are learnt from the Prophet, done as he did them or as he approved of them.

CHAPTER 51

‘LEARN YOUR RITUALS’

[2751–310]. (Dar al-Salam 2976) Isḥāq ibn Ibrāhīm and ʿAlī ibn Khashram narrated:[i] both from ʿĪsā ibn Yūnus; Ibn Khashram said: ʿĪsā reported; from Ibn Jurayj; Abu al-Zubayr reported to me; that he heard Jābir say: **‘I saw the Prophet (peace be upon him) stoning while riding his she-camel on the Day of Sacrifice, and he said: “Learn your rituals. I do not know, but I may not perform the hajj after this hajj of mine”.’**

حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَعَلِيُّ بْنُ خَشْرَمٍ، جَمِيعًا عَنْ عِيسَى بْنِ يُونُسَ. قَالَ ابْنُ خَشْرَمٍ: أَخْبَرَنَا عِيسَى، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرًا يَقُولُ: رَأَيْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَرْمِي عَلَى رَاحِلَتِهِ يَوْمَ النَّحْرِ، وَيَقُولُ: «لِتَأْخُذُوا مَنَاسِكَكُمْ، فَإِنِّي لاَ أَدْرِي. لَعَلِّي لاَ أَحُجُّ بَعْدَ حَجَّتِي هَذِهِ».

[2752–311]. (Dar al-Salam 2977) Salamah ibn Shabīb narrated to me:[ii] al-Ḥasan ibn Aʿyan narrated; Maʿqil narrated; from Zayd ibn Abi Unaysah; from Yaḥyā ibn Ḥuṣayn; from his grandmother Umm al-Ḥuṣayn. He said: **‘I heard her say: “I performed the hajj with God’s Messenger (peace be upon him), the Farewell Pilgrimage. I saw him when he stoned the ʿAqabah Jamrah,**

then he left riding his she-camel. Bilāl and Usāmah were with him, one of them leading his she-camel and the other holding his robe over God’s Messenger’s head, [shading him] from the sun. God’s Messenger (peace be upon him) said much, and then I heard him say: ‘If a badly cut, (I thought she said) black slave assumes your leadership and leads in accordance with God’s Book, listen and obey him’.”’

وَحَدَّثَنِي سَلَمَةُ بْنُ شَبِيبٍ، حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ، حَدَّثَنَا مَعْقِلٌ،عَنْ زَيْدِ بْنِ أَبِي أُنَيْسَةَ، عَنْ يَحْيَى بْنِ حُصَيْنٍ، عَنْ جَدَّتِهِ أُمِّ الْحُصَيْنِ، قَالَ سَمِعْتُهَا تَقُولُ: حَجَجْتُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَجَّةَ الْوَدَاعِ، فَرَأَيْتُهُ حِينَ رَمَى جَمْرَةَ الْعَقَبَةِ وَانْصَرَفَ. وَهُوَ عَلَى رَاحِلَتِهِ، وَمَعَهُ بِلاَلٌ وَأُسَامَةُ: أَحَدُهُمَا يَقُودُ بِهِ رَاحِلَتَهُ، وَالآخَرُ رَافِعٌ ثَوْبَهُ عَلَى رَأْسِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنَ الشَّمْسِ. قَالَتْ: فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَوْلاً كَثِيرًا. ثُمَّ سَمِعْتُهُ يَقُولُ: «إِنْ أُمِّرَ عَلَيْكُمْ عَبْدٌ مُجَدَّعٌ - حَسِبْتُهَا قَالَتْ – أَسْوَدُ، يَقُودُكُمْ بِكِتَابِ اللهِ تَعَالَى، فَاسْمَعُوا لَهُ وَأَطِيعُوا.

[2753–312]. (Dar al-Salam 2978) Ahmad ibn Ḥanbal narrated to me: Muhammad ibn Salamah narrated; from Abu ʿAbd al-Raḥīm; from Zayd ibn Abi Unaysah; from Yaḥyā ibn al-Ḥusayn; from Umm al-Ḥusayn his grandmother. She said: **‘I performed the hajj with God’s Messenger (peace be upon him), the Farewell Pilgrimage, and I saw Usāmah and Bilāl: one of them was holding the rein of the Prophet’s she-camel and the other lifting**

his robe shielding him from the heat, until he completed stoning the ʿAqabah Jamrah’.

Muslim said: Abu ʿAbd al-Raḥīm’s name is Khālid ibn Abi Yazīd, and he is the maternal uncle of Muhammad ibn Salamah. Wakīʿ and Ḥajjāj al-Aʿwar narrated from him.

وَحَدَّثَنِي أَحْمَدُ بْنُ حَنْبَلٍ، حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ، عَنْ أَبِي عَبْدِ الرَّحِيمِ، عَنْ زَيْدِ بْنِ أَبِي أُنَيْسَةَ، عَنْ يَحْيَى بْنِ الْحُصَيْنِ، عَنْ أُمِّ الْحُصَيْنِ، جَدَّتِهِ، قَالَتْ: حَجَجْتُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَجَّةَ الْوَدَاعِ. فَرَأَيْتُ أُسَامَةَ وَبِلاَلاً، وَأَحَدُهُمَا آخِذٌ بِخِطَامِ نَاقَةِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَالآخَرُ رَافِعٌ ثَوْبَهُ يَسْتُرُهُ مِنَ الْحَرِّ، حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ.

قَالَ مُسْلِمٌ وَاسْمُ أَبِي عَبْدِ الرَّحِيمِ خَالِدُ بْنُ أَبِي يَزِيدَ، وَهُوَ خَالُ مُحَمَّدِ بْنِ سَلَمَةَ. رَوَى عَنْهُ وَكِيعٌ وَحَجَّاجٌ الأَعْوَرُ.

Text Explanation

The first hadith, No. 2751 mentions that the Prophet was riding his she-camel when he did the stoning on the Day of Sacrifice and said to the people: ‘Learn your rituals’. This serves as evidence in support of al-Shāfiʿī’s view that it is desirable for whoever reaches the ʿAqabah Jamrah riding, on the Day of Sacrifice, that they continue to ride as they do the stoning at this Jamrah.[iii] If such a person does the stoning on foot, this is also perfectly appropriate. A pilgrim who reaches the Jamrah on foot should do the stoning in the same condition. This applies on the Day of Sacrifice. On the next two days, it is recommended, i.e., sunnah, to do the stoning at the three Jamrahs walking. On the third day, the last of the Tashrīq days, one does the stoning riding and then leaves Mina for Makkah. All this is the view of Mālik, al-Shāfiʿī and other scholars. Ahmad and Isḥāq said that it is desirable to do the stoning on the Day of Sacrifice on foot. Ibn al-Mundhir said that Ibn ʿUmar, Ibn al-Zubayr and Sālim used to walk when they did the stoning. All scholars agree that however one does the stoning it is acceptable, provided that the pebbles are thrown in place.

The Prophet says in this hadith: ‘Learn your rituals’. He uses the imperative form; thus he means that whatever he used of words, actions and conditions are parts of the hajj and that these are the believers’ rituals. Learn them from him, practise them and teach them to other people. This hadith is a fundamental principle of the hajj, akin to his order concerning prayer: ‘Pray as you have seen me pray’.

He further tells them: ‘I may not perform the hajj after this hajj of mine’. This is meant by way of saying farewell and gives an indication that his death would take place in a short while. Therefore, he urged them to learn from him and to take every opportunity to learn what related to religion from him. This is why we refer to his hajj as the Farewell Pilgrimage, but God knows best.

In hadith No. 2752 Umm al-Ḥuṣayn mentions seeing the Prophet as he was on his she-camel when doing his stoning, and that one of his Companions was shading him from the sun with his robe. The hadith clearly shows that it is permissible for a person in consecration to have

shade over his head, such as a robe or something similar. This is the view of our school and the large majority of scholars, and it applies whether a person is on the ground or riding. Mālik and Ahmad say that it is not permissible, and a person who does it must atone for it. A different report from Ahmad suggests that there is no atonement or compensation for this. Scholars agree that it is permissible for a pilgrim in consecration to sit under a roof or inside a tent. They agree with us that there is no compensation to be given if one is shaded for a brief time. The same is the case if one uses one's hand to provide some shade over one's head. Scholars who hold the opposite view may cite in their support the hadith narrated by ʿAbdullāh ibn ʿAbbās ibn Abi Rabīʿah who said: 'I [performed the hajj] in ʿUmar ibn al-Khaṭṭāb's company and I never saw him using any shade until he returned'.[iv] Ibn ʿUmar saw a man on his camel. He was in *iḥrām* and using some shade from the sun. He said to him: 'Expose yourself to the One for whom you have entered into *iḥrām*'.

Jābir narrates from the Prophet: 'Anyone who is in *iḥrām* and exposes himself to the sun until it sets, his sins will be set away so that he is the same as when he was born'.[v] Scholars cite in support of their view the present hadith narrated by Umm al-Ḥuṣayn which is related by Muslim, saying that having such shade is not like wearing a garment. Moreover, the hadith narrated by Jābir is lacking in authenticity. Further, it does not prohibit having such shade. Nor is such a prohibition implied by what ʿUmar did or what Ibn ʿUmar said. Even if these included any prohibition, the hadith narrated by Umm al-Ḥuṣayn takes priority, but God knows best.

In the same hadith, Umm al-Ḥuṣayn says that she heard the Prophet say: 'If a badly cut, (I thought she said) black slave assumes your leadership and leads in accordance with God's Book, listen and obey him'. These descriptions are meant to stress that a ruler might present the least socially acceptable qualities, but if he leads his people in accordance with God's Book, the Qur'an, then he must be obeyed. Scholars said that rulers should be obeyed as long as they adhere to Islam and call on people to adhere to it, regardless of their own personal conduct and how they behave in private. If they are seen to disobey God and Islamic teachings, they should be admonished and reminded of the need to mend their ways.

It may be asked, how come we are ordered to obey a ruling slave, when a caliph must belong to the Quraysh? The answer is twofold: (1) This applies to some governors or officials who are appointed by the caliph or his deputy. It does not imply that the caliph is a slave; and (2) If a Muslim slave manages to take power by force, and he rules in accordance with the Qur'an, he should be obeyed. Rebellion against him is not permissible, but God knows best.

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i. Related by Abu Dāwūd, 1970; al-Nasā'ī, 3062.

ii. Related by Abu Dāwūd, 1834.

iii. Needless to say, this does not apply nowadays, as no one uses camels and horses in the hajj areas, and it is not possible to do the stoning from vehicles or buses.

iv. Related by al-Shāfiʿī and al-Bayhaqī with a sound chain of transmission.

v. Related by al-Bayhaqī who says that it is poor in authenticity.

CHAPTER 52

THE SIZE OF THE PEBBLES

[2754–313]. (Dar al-Salam 2979) Muhammad ibn Ḥātim and ʿAbd ibn Ḥumayd narrated to me:[i] Ibn Ḥātim said: Muhammad ibn Bakr narrated; Ibn Jurayj reported; Abu al-Zubayr reported; that he heard Jābir ibn ʿAbdullāh say: **‘I saw the Prophet (peace be upon him) stoning the Jamrah with pebbles like peas’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، وَعَبْدُ بْنُ حُمَيْدٍ. قَالَ ابْنُ حَاتِمٍ حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنَا أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ يَقُولُ: رَأَيْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَمَى الْجَمْرَةَ بِمِثْلِ حَصَى الْخَذْفِ.

Text Explanation

This hadith shows that it is desirable to use pebbles of this size. If one uses larger or smaller pebbles, it is acceptable but discouraged. We discussed this point fully in Chapter 45 in Volume 6.

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i. Related by al-Tirmidhī, 897; al-Nasā’ī, 3075.

CHAPTER 53

THE PREFERABLE TIME OF STONING

[2755–314]. (Dar al-Salam 2980-2981) Abu Bakr ibn Abi Shaybah narrated:[i] Abu Khālid al-Aḥmar and Ibn Idrīs narrated; from Ibn Jurayj; from Abu al-Zubayr; from Jābir. He said: **‘God’s Messenger (peace be upon him) stoned the Jamrah on the Day of Sacrifice in the morning, but after the sun started on the decline on the following days’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ وَابْنُ إِدْرِيسَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: رَمَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْجَمْرَةَ يَوْمَ النَّحْرِ ضُحًى، وَأَمَّا بَعْدُ فَإِذَا زَالَتِ الشَّمْسُ.

ʿAlī ibn Khashram narrated: ʿĪsā reported; Ibn Jurayj reported; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘The Prophet…’ the same text.**

وَحَدَّثَنَاهُ عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ يَقُولُ: كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ... بِمِثْلِهِ.

Text Explanation

What is meant by stoning at the Jamrah on the Day of Sacrifice is the ʿAqabah Jamrah, as stoning on that day is limited to this one Jamrah. This is unanimously agreed upon. On the three Tashrīq days, which follow the Day of Sacrifice, the stoning commences after the sun starts on its decline, shortly after midday. This is the view of our Shāfiʿī School, the Mālikī and Ḥanbalī Schools and the great majority of scholars, thereby making it clear that stoning on these three days is not permissible until shortly after midday. This view is based on the present authentic hadith. Ṭāwūs and ʿAṭā', however, said that it is acceptable to perform the stoning before midday on these three days. In turn, Abu Ḥanīfah and Isḥāq ibn Rāhawayh said that it is acceptable to do the stoning before midday on the last of the three days. Our evidence is that the Prophet (peace be upon him) did his stoning as we have mentioned, and he said: 'Learn your rituals'.

Stoning at the Jamrahs on the Tashrīq days must be done in the right order. This means that one should start with the first Jamrah, which is close to al-Khīf Mosque, then proceed to the middle one, then go to the last, which is the ʿAqabah Jamrah. It is also recommended that after stoning at the first Jamrah the pilgrim should stop for some time, face the *qiblah*, supplicate and glorify God. The same is recommended after the stoning at the middle Jamrah, but not after the third where one completes one's stoning and then leaves immediately. This meaning is confirmed in al-Bukhari's *Ṣaḥīḥ*, as narrated by Ibn ʿUmar from the Prophet (peace be upon him). All this is desirable on all these three days, but God knows best.

According to our school, it is recommended to raise one's hands when doing this supplication. The same view is shared by the majority of scholars, and it is confirmed in the hadith we referred to as narrated by Ibn ʿUmar and related by al-Bukhari. Mālik has different views on this point. Scholars are unanimous that if a person does not supplicate here, he commits no offence. However, al-Thawrī, and only he, is reported to have said that such a person needs to give some food to the poor or make a sacrificial slaughter.

i. Related by Abu Dāwūd, 1971; al-Tirmidhī, 894; al-Nasā’ī, 3063; Ibn Mājah, 3053.

CHAPTER 54

SEVEN PEBBLES FOR STONING

[2756–315]. (Dar al-Salam 2982) Salamah ibn Shabīb narrated to me: al-Ḥasan ibn Aʿyan narrated; Maʿqil (who is Ibn ʿUbaydullāh al-Jazarī) narrated; from Abu al-Zubayr; from Jābir. He said: **‘God’s Messenger (peace be upon him) said: “The use of stones is with an odd number, stoning at the Jamrahs is an odd number, the *saʿī* between al-Ṣafa and al-Marwah is an odd number, *ṭawāf* is an odd number. When any of you cleans himself, he should use an odd number”.’**

وَحَدَّثَنِي سَلَمَةُ بْنُ شَبِيبٍ، حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ، حَدَّثَنَا مَعْقِلٌ (وَهُوَ ابْنُ عُبَيْدِ اللَّهِ الْجَزَرِيُّ)، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «الِاسْتِجْمَارُ تَوٌّ، وَرَمْيُ الْجِمَارِ تَوٌّ، وَالسَّعْيُ بَيْنَ الصَّفَا وَالْـمَرْوَةِ تَوٌّ، وَالطَّوَافُ تَوٌّ. وَإِذَا اسْتَجْمَرَ أَحَدُكُمْ فَلْيَسْتَجْمِرْ بِتَوٍّ».

Text Explanation

The Prophet mentions that in all these activities an odd number is required. The cleaning mentioned in the first instance and the last point in the hadith is that of cleaning oneself after urination or defecation. If this is done with a solid object, such as stones, as used to be the case during long travel in the desert [or with toilet paper as used at present], an odd number is required. The fact that the Prophet repeats the first order at the end of the hadith is not meant as repetition according to *Qadi ʿ*Iyāḍ. He says that the first instance refers to the action itself and the second to the number of stones to be used. The odd number required in the stoning at the Jamrahs, the *ṭawāf* and the *saʿī* is seven each, while in cleaning oneself it is three, provided that they are enough to ensure complete cleanliness. If this is not achieved with three, then more is added. If the cleaning is complete with an even number, adding one more to make it an odd number is recommended. Some of our scholars say that this addition is a duty, but the better-known view is that it is desirable or recommended, but God knows best.

CHAPTER 55

SHAVING ONE’S HEAD OR CUTTING ONE’S HAIR?

[2757–316]. (Dar al-Salam 2983) Yaḥyā ibn Yaḥyā and Muhammad ibn Rumḥ narrated:[i] both said: al-Layth reported [H]. Also, Qutaybah narrated; Layth narrated; from Nāfiʿ; that ʿAbdullāh said: **‘God’s Messenger (peace be upon him) shaved his head as did some of his Companions, while others cut a bit of their hair’. ʿAbdullāh said that God’s Messenger (peace be upon him) said: ‘May God bestow mercy on those who shaved’, once or twice, then said: ‘and those who cut their hair’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَمُحَمَّدُ بْنُ رُمْحٍ، قَالا: أَخْبَرَنَا اللَّيْثُ، ح. وَحَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا لَيْثٌ، عَنْ نَافِعٍ، أَنَّ عَبْدَ اللهِ قَالَ: حَلَقَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَحَلَقَ طَائِفَةٌ مِنْ أَصْحَابِهِ، وَقَصَّرَ بَعْضُهُمْ. قَالَ عَبْدُ اللهِ: إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «رَحِمَ اللَّهُ الْـمُحَلِّقِينَ - مَرَّةً أَوْ مَرَّتَيْنِ ثُمَّ قَالَ – وَالْـمُقَصِّرِينَ».

[2758–317]. (Dar al-Salam 2984) Yaḥyā ibn Yaḥyā narrated:[ii] he said: I read out to Mālik; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that **‘God’s Messenger (peace be upon him) said: “My Lord, bestow mercy on the ones who have shaved [their heads]”.**

People said: “And the ones who cut their hair, Messenger of God?” He said: “My Lord, bestow mercy on the ones who have shaved”. People said: “And the ones who cut their hair, Messenger of God?” He said: “And the ones who cut their hair”.’

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «اللَّهُمَّ ارْحَمِ الْـمُحَلِّقِينَ». قَالُوا: وَالْـمُقَصِّرِينَ يَا رَسُولَ اللهِ. قَالَ: «اللَّهُمَّ ارْحَمِ الْـمُحَلِّقِينَ». قَالُوا: وَالْـمُقَصِّرِينَ يَا رَسُولَ اللهِ. قَالَ: «وَالْـمُقَصِّرِينَ».

[2759–318]. (Dar al-Salam 2985) Abu Isḥāq Ibrāhīm ibn Muhammad ibn Sufyān reported:[iii] from Muslim ibn al-Ḥajjāj; he said: Ibn Numayr narrated; my father narrated; ʿUbaydullāh ibn ʿUmar narrated; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) said: “May God bestow mercy on those who have shaved [their heads]”. People said: “And those who cut their hair, Messenger of God?” He said: “May God bestow mercy on those who have shaved”. People said: “And those who cut their hair, Messenger of God?” He said: “May God bestow mercy on those who have shaved”. People said: “And those who cut their hair, Messenger of God?” He said: “And those who cut their hair”.’**

أَخْبَرَنَا أَبُو إِسْحَاقَ إِبْرَاهِيمُ بْنُ مُحَمَّدِ بْنِ سُفْيَانَ، عَنْ مُسْلِمِ بْنِ الْحَجَّاجِ، قَالَ: حَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ

رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ قَالَ: «رَحِمَ اللهُ الْـمُحَلِّقِينَ». قَالُوا: وَالْـمُقَصِّرِينَ يَا رَسُولَ اللهِ. قَالَ: «رَحِمَ اللهُ الْـمُحَلِّقِينَ». قَالُوا: وَالْـمُقَصِّرِينَ يَا رَسُولَ اللهِ. قَالَ: «رَحِمَ اللهُ الْـمُحَلِّقِينَ». قَالُوا: وَالْـمُقَصِّرِينَ يَا رَسُولَ اللهِ. قَالَ: «وَالْـمُقَصِّرِينَ».

[2760–319]. (Dar al-Salam 2986) Ibn al-Muthannā narrated: ʿAbd al-Wahhāb narrated; ʿUbaydullāh narrated; with the same chain of transmission: **the same text but added: ‘The fourth time he said: “and those who cut their hair”.’**

وَحَدَّثَنَاهُ ابْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الْوَهَّابِ، حَدَّثَنَا عُبَيْدُ اللهِ، بِهَذَا الإِسْنَادِ، وَقَالَ فِي الْحَدِيثِ: فَلَمَّا كَانَتِ الرَّابِعَةُ قَالَ: «وَالْـمُقَصِّرِينَ».

[2761–320]. (Dar al-Salam 2987-2988) Abu Bakr ibn Abi Shaybah, Zuhayr ibn Ḥarb, Ibn Numayr and Abu Kurayb narrated:[iv] all from Ibn Fuḍayl. Zuhayr said: Muhammad ibn Fuḍayl narrated; ʿUmārah narrated; from Abu Zurʿah; from Abu Hurayrah. He said: **‘God’s Messenger (peace be upon him) said: “My Lord, grant forgiveness to those who shaved [their heads]”. People said: “Messenger of God, and those who cut their hair”. He said: “My Lord, grant forgiveness to those who shaved”. People said: “Messenger of God, and those who cut their hair”. He said: “My Lord, grant forgiveness to those who shaved”. People said: “Messenger of God, and those who cut their hair”. He said: “And those who cut their hair”.’**

حَدَّثَنَا اِبُو بَكرِ بْنُ اِبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، وَابْنُ نُمَيْرٍ، وَأَبُو كُرَيْبٍ، جَمِيعًا عَنِ ابْنِ فُضَيْلٍ. قَالَ زُهَيْرٌ: حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، حَدَّثَنَا عُمَارَةُ، عَنْ أَبِي زُرْعَةَ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «اللَّهُمَّ اغْفِرْ لِلْـمُحَلِّقِينَ». قَالُوا يَا رَسُولَ اللهِ، وَلِلْـمُقَصِّرِينَ. قَالَ: «اللَّهُمَّ اغْفِرْ لِلْـمُحَلِّقِينَ». قَالُوا: يَا رَسُولَ اللهِ وَلِلْـمُقَصِّرِينَ. قَالَ: «اللَّهُمَّ اغْفِرْ لِلْـمُحَلِّقِينَ». قَالُوا يَا رَسُولَ اللهِ وَلِلْـمُقَصِّرِينَ. قَالَ: «وَلِلْـمُقَصِّرِينَ».

Umayyah ibn Bisṭām narrated to me: Yazīd ibn Zurayʿ narrated; Rawḥ narrated; from al-ʿAlā’; from his father; from Abu Hurayrah; from the Prophet: **the same meaning as the hadith narrated by Abu Zurʿah from Abu Hurayrah.**

وَحَدَّثَنِي أُمَيَّةُ بْنُ بِسْطَامَ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا رَوْحٌ، عَنِ الْعَلاَءِ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: بِمَعْنَى حَدِيثِ أَبِي زُرْعَةَ عَنْ أَبِي هُرَيْرَةَ.

[2762–321]. (Dar al-Salam 2989) Abu Bakr ibn Abi Shaybah narrated: Wakīʿ and Abu Dāwūd al-Ṭayālisī narrated; from Shuʿbah; from Yaḥyā ibn al-Ḥuṣayn; from his grandmother; that **‘She heard the Prophet (peace be upon him), during the Farewell Pilgrimage, praying for the ones who shaved [their heads] three times and once for the ones who cut their hair’. But Wakīʿ did not say ‘during the Farewell Pilgrimage’.**

حَدَّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، حَدَّثَنَا وَكِيعٌ وَابُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ شُعْبَةَ، عَنْ يَحْيَى بْنِ الْحُصَيْنِ، عَنْ جَدَّتِهِ، أَنَّهَا سَمِعَتِ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ دَعَا لِلْـمُحَلِّقِينَ ثَلاَثًا، وَلِلْـمُقَصِّرِينَ مَرَّةً. وَلَمْ يَقُلْ وَكِيعٌ فِي حَجَّةِ الْوَدَاعِ.

[2763–322]. (Dar al-Salam 2990) Qutaybah ibn Saʿīd narrated:[v] Yaʿqūb (who is Ibn ʿAbd al-Raḥmān al-Qāriy) narrated [H]. Also, Qutaybah narrated; Ḥātim (meaning Ibn Ismāʿīl) narrated; both from Mūsā ibn ʿUqbah; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) shaved his head during the Farewell Pilgrimage’.**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا يَعْقُوبُ (وَهُوَ ابْنُ عَبْدِ الرَّحْمَنِ الْقَارِيُّ) ح. وَحَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا حَاتِمٌ (يَعْنِي ابْنَ إِسْمَاعِيلَ)، كِلاَهُمَا عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَلَقَ رَأْسَهُ فِي حَجَّةِ الْوَدَاعِ.

Text Explanation

Hadith No. 2757 mentions that the Prophet shaved his head and many of his Companions followed suit, but some of them only cut a bit of their hair. The chapter includes several hadiths mentioning the Prophet's supplications three times for those who shaved and once for those who shortened their hair. This makes it clear that either action is sufficient and contingent upon personal choice, but it also makes it clear that shaving one's head is better and preferable. Scholars are unanimous that shaving is better than shortening, although shortening one's hair is sufficient. The only exception being that Ibn al-Mundhir reported that al-Ḥasan al-Baṣrī used to say that shaving one's head is a duty during one's first hajj and that merely cutting one's hair on that occasion is not sufficient. If he actually expressed this view, it is still rejected on the basis of the evidence of clear texts and the unanimity of earlier scholars.

The well-known view of our school is that shaving one's head and shortening one's hair are rituals of the hajj and the ʿumrah and constitute one of their essential obligations, which means that either of them is not valid without it. This is agreed upon by all scholars. An odd opinion attributed to al-Shāfiʿī suggests that shaving one's head or cutting one's hair is not a ritual, but an action indicating the permissibility of what was restricted. This is unsound, and the first view is the correct one. The minimum amount of shaved or shortened hair is three hairs according to al-Shāfiʿī, while Abu Ḥanīfah makes it one-quarter of one's head. Abu Yūsuf says it is half of one's head, while Mālik and Ahmad consider that most of one's head is required. One report attributed to Mālik requires all of one's head. Scholars are unanimous that it is preferable to shave or shorten all of one's hair. It is recommended that the shortening should be by a minimum of half an inch, or one third of one's finger. If it is shortened less than this, it is acceptable because is an act of shortening. As for women, they should shorten their hair, while shaving their heads is discouraged. If a woman shaves her head, however, she meets the requirement. Plucking, burning or clipping one's hair and any other form of removing hair is also acceptable.

It should be understood that what is mentioned in these hadiths with regard to the Prophet shaving his head while some of his Companions did

the same and others shortened their hair, as well as his praying three times for the first group and once for the second, all took place during the Farewell Pilgrimage. This is well known and correct. *Qadi* ʿIyāḍ quotes some as saying that it occurred at the time of al-Ḥudyabiyah, when the Prophet ordered his Companions to shave, but none of them did as they still hoped to be able to enter Makkah. A report quotes Ibn ʿAbbās saying: 'Some people shaved their heads on the Day of al-Ḥudaybiyah, while others shortened their hair. God's Messenger said three times, "My Lord, bestow mercy on those who have shaved". He was asked why he repeated his prayer of mercy three times for the ones who shaved. He said: "Because they entertained no doubt".' Ibn ʿAbd al-Barr said that what has been learnt pertained to the occasion of al-Ḥudaybiyah. *Qadi* ʿIyāḍ said:

> In this chapter, Muslim includes what is at variance with what they said, but these hadiths do not mention the place where it happened. However, Muslim includes the hadith narrated by Yaḥyā ibn al-Ḥuṣayn from his grandmother, stating that she heard the Prophet during the Farewell Pilgrimage praying three times for those who shaved and once for those who shortened their hair. However, this hadith is narrated by Ibn Abi Shaybah and Wakīʿ, but Wakīʿ does not mention that it happened during the Farewell Pilgrimage. Speaking earlier about the stoning at the ʿAqabah Jamrah, Muslim includes the hadith narrated by Yaḥyā ibn al-Ḥuṣayn, from his grandmother, that she performed the hajj with the Prophet, the Farewell Pilgrimage. In her hadith, the matter is fully explained as occurring during the Farewell Pilgrimage. It is, however, possible that the Prophet said it on both occasions.

Shaving is preferable to shortening one's hair because it is a fuller act of worship and shows more readiness to express humility before God. A person who shortens his hair leaves most of it intact, and hair is part of one's better appearance. A pilgrim is commanded to abandon what adds to good appearance. Indeed, his appearance is that of one who is dusty and dishevelled, but God knows best.

Scholars agree that the preferable time for shaving one's head or shortening one's hair is after the stoning at the ʿAqabah Jamrah and

slaughtering one's sacrifice if one has it, and before the *ṭawāf al-ifāḍah*, whether one is offering the hajj in the *ifrād* or *qirān* method. Ibn al-Jahm al-Mālikī said that a person doing the *qirān* does not shave until he has completed his *ṭawāf al-ifāḍah* and *saʿī*. This is wrong and is refuted by texts and the unanimity of earlier scholars. A number of authentic hadiths confirm that the Prophet shaved his head before doing the *ṭawāf al-ifāḍah*. We have already explained that the Prophet ultimately did his hajj in the *qirān* method. If a person fixes his hair when he starts his consecration, the correct and well-known view of our school is that it is desirable for him to shave at the time when shaving becomes due, but it is not obligatory to do it then. The majority of scholars say that he is required to shave it.

Note: In our introduction to this commentary, [Vol. 1 pp. 1-55] we mentioned that Ibrāhīm ibn Sufyān, Muslim's disciple, missed listening to three parts of Muslim's *Ṣaḥīḥ*. The first of these three parts relate to the Book of Hajj. We mentioned the beginning and end of this part in the introduction, and it starts here. From this point, Ibrāhīm says: 'from Muslim', not 'Muslim reported' as he says in the rest of the book. He starts here, hadith No. 2759 as: al-Julūdī says: Abu Isḥāq Ibrāhīm ibn Muhammad ibn Sufyān reported: from Muslim ibn al-Ḥajjāj; he said: Ibn Numayr narrated; my father narrated; ʿUbaydullāh ibn ʿUmar narrated; from Nāfiʿ; from Ibn ʿUmar; that 'God's Messenger (peace be upon him) said: "May God bestow mercy on those who have shaved [their heads]". People said: 'And those who cut their hair, Messenger of God?'" and continues the hadith to the end.

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i. Related by al-Tirmidhī, 913.
ii. Related by al-Bukhari, 1727; Abu Dāwūd, 1979.
iii. Related by Ibn Mājah, 3044.
iv. Related by al-Bukhari, 1728; Ibn Mājah, 3043.
v. Related by al-Bukhari, 4410 and 4411; Abu Dāwūd, 1980.

CHAPTER 56

THE RECOMMENDED ORDER ON THE DAY OF SACRIFICE

[2764–323]. (Dar al-Salam 2991) Yaḥyā ibn Yaḥyā narrated:[i] Ḥafṣ ibn Ghiyāth reported; from Hishām; from Muhammad ibn Sīrīn; from Anas ibn Mālik; that **‘God’s Messenger (peace be upon him) reached Mina, went to the Jamrah and stoned. He then went to his place at Mina where he slaughtered his sacrifice. He then said to the barber: “Remove”, pointing to his right side, then his left side. He then gave it to the people’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ هِشَامٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، عَنْ أَنَسِ بْنِ مَالِكٍ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَتَى مِنًى، فَأَتَى الْجَمْرَةَ فَرَمَاهَا. ثُمَّ أَتَى مَنْزِلَهُ بِمِنًى وَنَحَرَ. ثُمَّ قَالَ لِلْحَلاَّقِ: «خُذْ». وَأَشَارَ إِلَى جَانِبِهِ الأَيْمَنِ، ثُمَّ الأَيْسَرِ. ثُمَّ جَعَلَ يُعْطِيهِ النَّاسَ.

[2765–324]. (Dar al-Salam 2992) Abu Bakr ibn Abi Shaybah, Ibn Numayr and Abu Kurayb narrated: they said: Ḥafṣ ibn Ghiyāth reported; from Hishām; with this chain of transmission: **a similar text.**

Abu Bakr said in his narration that **‘He said to the barber: “Here”, pointing like this to the right side, and distributed his hair among those close by. He then indicated to the barber and to the left side. He shaved it and gave [the hair] to Umm Sulaym’.**

In Abu Kurayb’s narration: **‘He started with the right side, giving people one or two hairs each. He then pointed to the left side and did the same. He then said: “Is Abu Ṭalḥah here?” He gave it to Abu Ṭalḥah’.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَابْنُ نُمَيْرٍ، وَأَبُو كُرَيْبٍ قَالُوا: أَخْبَرَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ هِشَامٍ، بِهَذَا الإِسْنَادِ.

أَمَّا أَبُو بَكْرٍ فَقَالَ فِي رِوَايَتِهِ لِلْحَلاَّقِ: «هَا»، وَأَشَارَ بِيَدِهِ إِلَى الْجَانِبِ الأَيْمَنِ هَكَذَا، فَقَسَمَ شَعَرَهُ بَيْنَ مَنْ يَلِيهِ. قَالَ: ثُمَّ أَشَارَ إِلَى الْحَلاَّقِ وَإِلَى الْجَانِبِ الأَيْسَرِ، فَحَلَقَهُ فَأَعْطَاهُ أُمَّ سُلَيْمٍ.

وَأَمَّا فِي رِوَايَةِ أَبِي كُرَيْبٍ قَالَ: فَبَدَأَ بِالشِّقِّ الأَيْمَنِ فَوَزَّعَهُ الشَّعَرَةَ وَالشَّعَرَتَيْنِ بَيْنَ النَّاسِ، ثُمَّ قَالَ بِالأَيْسَرِ فَصَنَعَ بِهِ مِثْلَ ذَلِكَ. ثُمَّ قَالَ: «هَاهُنَا أَبُو طَلْحَةَ». فَدَفَعَهُ إِلَى أَبِي طَلْحَةَ.

[2766–325]. (Dar al-Salam 2993) Muhammad ibn al-Muthannā narrated: ʿAbd al-Aʿlā narrated; Hishām narrated; from Muhammad; from Anas ibn Mālik; that **‘God’s Messenger (peace be upon him) stoned at the ʿAqabah Jamrah, then went to his camels and slaughtered them. The barber was sitting. He**

pointed with his hand to his head, and the barber shaved his right side. He gave it to the people close to him. He then said [to the barber]: “Shave the other half”, and then said: “Where is Abu Ṭalḥah?” He gave it to him’.

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الأَعْلَى، حَدَّثَنَا هِشَامٌ، عَنْ مُحَمَّدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَمَى جَمْرَةَ الْعَقَبَةِ، ثُمَّ انْصَرَفَ إِلَى الْبُدْنِ فَنَحَرَهَا، وَالْحَجَّامُ جَالِسٌ. وَقَالَ بِيَدِهِ عَنْ رَأْسِهِ فَحَلَقَ شِقَّهُ الأَيْمَنَ، فَقَسَمَهُ فِيمَنْ يَلِيهِ. ثُمَّ قَالَ: «احْلِقِ الشِّقَّ الآخَرَ»، فَقَالَ: «أَيْنَ أَبُو طَلْحَةَ»؟ فَأَعْطَاهُ إِيَّاهُ.

[2767–326]. (Dar al-Salam 2994) Ibn Abi ʿUmar narrated: Sufyān narrated; I heard Hishām ibn Ḥassān reporting; from Ibn Sīrīn; from Anas ibn Mālik. He said: **‘When God’s Messenger (peace be upon him) had stoned at the Jamrah and slaughtered his sacrifice, he shaved. He indicated his right side to the barber who shaved it. He then called Abu Ṭalḥah al-Anṣārī and gave it to him. He then pointed to his left side and said [to the barber]: “Shave”. He shaved it. He gave [the hair] to Abu Ṭalḥah and said: “Distribute it to people”.’**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، سَمِعْتُ هِشَامَ بْنَ حَسَّانَ يُخْبِرُ عَنِ ابْنِ سِيرِينَ، عَنْ أَنَسِ بْنِ مَالِكٍ، قَالَ: لَـمَّا رَمَى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْجَمْرَةَ، وَنَحَرَ نُسُكَهُ، وَحَلَقَ نَاوَلَ الْحَالِقَ شِقَّهُ الأَيْمَنَ فَحَلَقَهُ، ثُمَّ دَعَا أَبَا طَلْحَةَ الأَنْصَارِيَّ، فَأَعْطَاهُ إِيَّاهُ. ثُمَّ نَاوَلَهُ الشِّقَّ

الاَيْسَرَ، فَقَالَ: «احْلِقْ». فَحَلقَهُ، فَاعْطاهُ ابَا طلحَةَ، فَقَالَ: «اقْسِمْهُ بَيْنَ النَّاسِ».

Text Explanation

The first hadith, No. 2764 says: ‘God’s Messenger (peace be upon him) reached Mina, went to the Jamrah and stoned. He then went to his place at Mina where he slaughtered his sacrifice. He then said to the barber: “Remove”, pointing to his right side, then his left side. He then gave it to the people’. This hadith includes many interesting points, highlighting the recommended order for attending to the hajj duties that become due on the Day of Sacrifice. These are four duties: stoning at the ʿAqabah Jamrah, slaughtering the sacrifice, shaving one’s head or shortening one’s hair, then going to Makkah for the *ṭawāf al-ifāḍah*, followed by the *saʿī* if one has not done the *saʿī* of the hajj after the *ṭawāf* of arrival. If the *saʿī* was done after the *ṭawāf* of arrival, no new *saʿī* is required. In fact, to repeat it is discouraged. In the light of this authentic hadith, it is a sunnah, i.e., recommended, that these four duties should be done in the same order we have mentioned. To do them in a different order, delaying some and advancing others, is perfectly acceptable, as indicated in the hadiths Muslim relates and we will presently discuss. These hadiths specifically state that there is no harm in changing the order of these duties.

Another interesting point is that on arriving in Mina, it is recommended that one does not attend to anything before stoning at the Jamrah. One should continue to the Jamrah riding and do the stoning there, then one may stop at Mina wherever one wishes.[ii] It is also recommended to do the sacrifice at Mina, but it is permissible to slaughter one’s sacrifice anywhere in the Haram area. Another point is that removing one’s hair is one of the rituals of the hajj, and that shaving one’s head is preferable to only shortening one’s hair. When attending to this duty, it is desirable to start with the right side of one’s head. This is the view of our school and the majority of scholars. Abu Ḥanīfah said that one starts with the left side. The hadith also shows that the hair of a human being is free of impurity. This is the correct view of our Shāfiʿī School, and it is endorsed by the great majority of scholars. The Prophet’s hair may be retained and owned as a source of blessing. Yet another point is that an imam or a chief should treat his followers and companions fairly in whatever gifts he gives them, but God knows best.

The name of the person who shaved God's Messenger's head during the Farewell Pilgrimage is given differently. The correct and well-known name is Maʿmar ibn ʿAbdullāh al-ʿAdawī. In al-Bukhari's *Ṣaḥīḥ*: 'He is claimed to be Maʿmar ibn ʿAbdullāh'. It is also said that his name was Khirāsh ibn Umayyah ibn Rabīʿah al-Kulabī, but God knows best.

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i. Related by Abu Dāwūd, 1981, 1982; al-Tirmidhī, 912.

ii. This is no longer possible for pilgrims today. No vehicles are allowed at the Jamrah areas. Moreover, because of the continuous increase in the numbers of pilgrims, the Jamrahs are now on four levels, and it is possible to do the stoning on any of these levels. Moreover, in Mina, people are allocated their places.

CHAPTER 57

CHANGING THE ORDER OF HAJJ DUTIES

[2768–327]. (Dar al-Salam 2995) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Ibn Shihāb; from ʿĪsā ibn Ṭalḥah ibn ʿUbaydullāh; from ʿAbdullāh ibn ʿAmr ibn al-ʿĀṣ. He said: **‘God’s Messenger (peace be upon him) stopped at Mina during the Farewell Pilgrimage so that people could ask of him. One man came and said: “Messenger of God, I was unaware, and I shaved before slaughtering my sacrifice”. The Prophet said: “Do your sacrifice, there is no harm”. Another man then came and said: “Messenger of God, unwittingly I slaughtered my sacrifice before I stoned”. The Prophet said: “[Go and] stone, there is no harm done”. Whatever God’s Messenger was asked about of doing one duty before or after another, he answered: “Do it, there is no harm”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عِيسَى بْنِ طَلْحَةَ بْنِ عُبَيْدِ اللهِ، عَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ، قَالَ: وَقَفَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي حَجَّةِ الْوَدَاعِ بِمِنًى لِلنَّاسِ يَسْأَلُونَهُ. فَجَاءَ رَجُلٌ، فَقَالَ: يَا رَسُولَ اللهِ لَمْ أَشْعُرْ، فَحَلَقْتُ قَبْلَ أَنْ أَنْحَرَ. فَقَالَ: «اذْبَحْ وَلاَ حَرَجَ». ثُمَّ جَاءَهُ رَجُلٌ آخَرُ فَقَالَ:

يَا رَسُولَ اللهِ لمْ اشْعُرْ فَنَحَرْتُ قَبْلَ انْ ارْمِيَ فَقَالَ: «ارْمِ وَلاَ حَرَجَ». قَالَ: فَمَا سُئِلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ شَىْءٍ قُدِّمَ وَلاَ أُخِّرَ إِلاَّ قَالَ: «افْعَلْ وَلاَ حَرَجَ».

[2769–328]. (Dar al-Salam 2996-2997) Ḥarmalah ibn Yaḥyā narrated to me: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; ʿĪsā ibn Ṭalḥah al-Taymī narrated to me; that he heard ʿAbdullāh ibn ʿAmr ibn al-ʿĀṣ say: **‘God’s Messenger (peace be upon him) stopped while he was on his she-camel. People came, asking of him. One person might say: “Messenger of God, I was not aware that stoning came ahead of slaughtering the sacrifice, and I slaughtered my sacrifice before stoning”. God’s Messenger said: “Now do your stoning, no harm done”. Another person said: “I did not realize that slaughtering the sacrifice should be before shaving, and I shaved my head before slaughter”. The Prophet said: “Slaughter your sacrifice, no harm done”. Whatever he was asked about of matters that a person might forget or be unaware of, doing certain things before others and similar matters, God’s Messenger (peace be upon him) always gave the same answer: “Do it, there is no harm”.’**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، حَدَّثَنِي عِيسَى بْنُ طَلْحَةَ التَّيْمِيُّ، أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ عَمْرِو بْنِ الْعَاصِ يَقُولُ: وَقَفَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَلَى رَاحِلَتِهِ، فَطَفِقَ نَاسٌ يَسْأَلُونَهُ، فَيَقُولُ الْقَائِلُ مِنْهُمْ: يَا رَسُولَ اللهِ إِنِّي لَمْ أَكُنْ أَشْعُرُ أَنَّ الرَّمْيَ قَبْلَ النَّحْرِ فَنَحَرْتُ

قَبْلَ الرَّمْيِ. فَقَالَ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ: «فَارْمِ وَلاَ حَرَجَ». قَالَ: وَطَفِقَ آخَرُ يَقُولُ إِنِّي لَمْ أَشْعُرْ أَنَّ النَّحْرَ قَبْلَ الْحَلْقِ، فَحَلَقْتُ قَبْلَ أَنْ أَنْحَرَ. فَيَقُولُ: «انْحَرْ وَلاَ حَرَجَ». قَالَ فَمَا سَمِعْتُهُ يُسْأَلُ يَوْمَئِذٍ عَنْ أَمْرٍ مِمَّا يَنْسَى الْـمَرْءُ وَيَجْهَلُ، مِنْ تَقْدِيمِ بَعْضِ الأُمُورِ قَبْلَ بَعْضٍ، وَأَشْبَاهِهَا، إِلاَّ قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «افْعَلُوا ذَلِكَ وَلاَ حَرَجَ».

Ḥasan al-Ḥulwānī narrated; Yaʿqūb narrated; my father narrated; from Ṣāliḥ; from Ibn Shihāb: **the same text as the hadith narrated by Yūnus from al-Zuhrī.**

حَدَّثَنَا حَسَنٌ الْحُلْوَانِيُّ، حَدَّثَنَا يَعْقُوبُ، حَدَّثَنَا أَبِي، عَنْ صَالِحٍ، عَنِ ابْنِ شِهَابٍ، بِمِثْلِ حَدِيثِ يُونُسَ عَنِ الزُّهْرِيِّ، إِلَى آخِرِهِ.

[2770–329]. (Dar al-Salam 2998) ʿAlī ibn Khashram narrated: ʿĪsā reported; from Ibn Jurayj; he said: I heard Ibn Shihāb say: ʿĪsā ibn Ṭalḥah narrated to me; ʿAbdullāh ibn ʿAmr ibn al-ʿĀṣ narrated to me; that **‘As the Prophet was addressing the people on the Day of Sacrifice, a man stood up and said: “Messenger of God, I did not realize that so-and-so is before such-and-such”. Then another man said: “Messenger of God, I thought that X was before Y and Z”. They were referring to these three. The Prophet said: “That is right, no harm done”.’**

وَحَدَّثَنَا عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى، عَنِ ابْنِ جُرَيْجٍ، قَالَ سَمِعْتُ ابْنَ شِهَابٍ يَقُولُ: حَدَّثَنِي عِيسَى بْنُ طَلْحَةَ،

حَدّثَنِي عَبْدُ اللهِ بْنُ عَمْرِو بْنِ العَاصِ، انّ النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلَّمَ بَيْنَا هُوَ يَخْطُبُ يَوْمَ النَّحْرِ، فَقَامَ إِلَيْهِ رَجُلٌ: فَقَالَ مَا كُنْتُ أَحْسِبُ يَا رَسُولَ اللهِ أَنَّ كَذَا وَكَذَا قَبْلَ كَذَا وَكَذَا، ثُمَّ جَاءَ آخَرُ فَقَالَ يَا رَسُولَ اللهِ كُنْتُ أَحْسِبُ أَنَّ كَذَا قَبْلَ كَذَا وَكَذَا، لِهَؤُلاَءِ الثَّلاَثِ. قَالَ: «افْعَلْ وَلاَ حَرَجَ».

[2771–330]. (Dar al-Salam 2999) ʿAbd ibn Ḥumayd narrated: Muhammad ibn Bakr narrated [H]. Also, Saʿīd ibn Yaḥyā al-Umawī narrated to me; my father narrated to me; all from Ibn Jurayj; with the same chain of transmission: **the same text, but Ibn Bakr’s narration is the same as ʿĪsā’s except for the sentence: ‘they were referring to these three’. He did not mention that.**

In Yaḥyā al-Umawī’s narration, he mentions: **‘I shaved before slaughtering my sacrifice’, or ‘I sacrificed before stoning’ and similar matters.**

وَحَدَّثَنَاهُ عَبْدُ بْنُ حُمَيْدٍ، حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، ح. وَحَدَّثَنِي سَعِيدُ بْنُ يَحْيَى الأُمَوِيُّ، حَدَّثَنِي أَبِي جَمِيعًا، عَنِ ابْنِ جُرَيْجٍ، بِهَذَا الإِسْنَادِ. أَمَّا رِوَايَةُ ابْنِ بَكْرٍ فَكَرِوَايَةِ عِيسَى إِلاَّ قَوْلَهُ لِهَؤُلاَءِ الثَّلاَثِ، فَإِنَّهُ لَمْ يَذْكُرْ ذَلِكَ. وَأَمَّا يَحْيَى الأُمَوِيُّ فَفِي رِوَايَتِهِ: حَلَقْتُ قَبْلَ أَنْ أَنْحَرَ. نَحَرْتُ قَبْلَ أَنْ أَرْمِيَ، وَأَشْبَاهَ ذَلِكَ.

[2772–331]. (Dar al-Salam 3000) Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated: Abu Bakr said: Ibn ʿUyaynah narrated; from al-Zuhrī; from ʿĪsā ibn Ṭalḥah; from ʿAbdullāh ibn ʿAmr. He

said: **‘A man came to the Prophet and said: “I have shaved before slaughtering my sacrifice”. He [i.e., the Prophet] said: “Then do your sacrifice, no harm done”. [A man] said: “I slaughtered my sacrifice before stoning”. The Prophet said: “Then do the stoning, no harm done”.’**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ. قَالَ أَبُو بَكْرٍ حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عِيسَى بْنِ طَلْحَةَ، عَنْ عَبْدِ اللهِ بْنِ عَمْرٍو، قَالَ: أَتَى النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَجُلٌ فَقَالَ: حَلَقْتُ قَبْلَ أَنْ أَذْبَحَ. قَالَ: «فَاذْبَحْ وَلاَ حَرَجَ». قَالَ: ذَبَحْتُ قَبْلَ أَنْ أَرْمِيَ. قَالَ: «ارْمِ وَلاَ حَرَجَ.

[2773–332]. (Dar al-Salam 3001) Ibn Abi ʿUmar and ʿAbd ibn Ḥumayd narrated: from ʿAbd al-Razzāq; from Maʿmar; from al-Zuhrī; with the same chain of transmission: **‘I saw God’s Messenger (peace be upon him) at Mina riding a she-camel when a man came to him…’ adding the same meaning as Ibn ʿUyaynah’s narration.**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، وَعَبْدُ بْنُ حُمَيْدٍ، عَنْ عَبْدِ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، بِهَذَا الإِسْنَادِ. رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى نَاقَةٍ بِمِنًى، فَجَاءَهُ رَجُلٌ. بِمَعْنَى حَدِيثِ ابْنِ عُيَيْنَةَ.

[2774–333]. (Dar al-Salam 3002) Muhammad ibn ʿAbdullāh ibn Quhzādh narrated to me: ʿAlī ibn al-Ḥasan narrated; from ʿAbdullāh ibn al-Mubārak; Muhammad ibn Abi Ḥafṣah reported;

from al-Zuhrī; from ʿĪsā ibn Ṭalḥah; from ʿAbdullāh ibn ʿAmr ibn al-ʿĀṣ. He said: **‘I heard God’s Messenger (peace be upon him) as a man came to him on the Day of Sacrifice when he was standing near the Jamrah. [The man] said: “Messenger of God, I shaved before stoning”. He said: “Do the stoning, no harm done”. Another man came and said: “I have slaughtered my sacrifice before stoning”. He said: “Do the stoning now, no harm done”. Yet another came and said: “I did the *ṭawāf* at the Kaʿbah before stoning”. He said: “Now do the stoning, no harm done”. [ʿAbdullāh] said: ‘Whatever question was put to him on that day, he answered: “Do it, no harm done”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ اللهِ بْنِ قُهْزَاذَ، حَدَّثَنَا عَلِيُّ بْنُ الْحَسَنِ، عَنْ عَبْدِ اللهِ بْنِ الْـمُبَارَكِ، أَخْبَرَنَا مُحَمَّدُ بْنُ أَبِي حَفْصَةَ، عَنِ الزُّهْرِيِّ، عَنْ عِيسَى بْنِ طَلْحَةَ، عَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ، قَالَ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَأَتَاهُ رَجُلٌ يَوْمَ النَّحْرِ وَهُوَ وَاقِفٌ عِنْدَ الْجَمْرَةِ، فَقَالَ: يَا رَسُولَ اللهِ إِنِّي حَلَقْتُ قَبْلَ أَنْ أَرْمِيَ. فَقَالَ: «ارْمِ وَلاَ حَرَجَ». وَأَتَاهُ آخَرُ فَقَالَ إِنِّي ذَبَحْتُ قَبْلَ أَنْ أَرْمِيَ. قَالَ: «ارْمِ وَلاَ حَرَجَ». وَأَتَاهُ آخَرُ فَقَالَ: إِنِّي أَفَضْتُ إِلَى الْبَيْتِ قَبْلَ أَنْ أَرْمِيَ. قَالَ: «ارْمِ وَلاَ حَرَجَ». قَالَ: فَمَا رَأَيْتُهُ سُئِلَ يَوْمَئِذٍ عَنْ شَىْءٍ إِلاَّ قَالَ: «افْعَلُوا وَلاَ حَرَجَ».

[2775–334]. (Dar al-Salam 3003) Muhammad ibn Ḥātim narrated to me:[ii] Bahz narrated; Wuhayb narrated; ʿAbdullāh ibn Ṭāwūs narrated; from his father; from Ibn ʿAbbās; that **‘The Prophet (peace be upon him) was asked about the sacrifice, shaving**

one’s head, stoning and doing things first or later. He always answered: “There is no harm”.’

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا بَهْزٌ، حَدَّثَنَا وُهَيْبٌ، حَدَّثَنَا عَبْدُ اللهِ بْنُ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قِيلَ لَهُ فِي الذَّبْحِ وَالْحَلْقِ وَالرَّمْيِ، وَالتَّقْدِيمِ وَالتَّأْخِيرِ، فَقَالَ: «لاَ حَرَجَ».

Text Explanation

These hadiths speak of several Companions of the Prophet asking him reagrding the way they went about fulfilling the required duties of hajj that fall due on the Day of Sacrifice. As mentioned earlier, there are four due acts: stoning at the ʿAqabah Jamrah, slaughtering the sacrifice, shaving one's head and the *ṭawāf al-ifāḍah*. We also mentioned that it is recommended to follow this order in discharging these duties. If a pilgrim does not follow this order, doing some before others, this is fine and such a person need not make any compensation, as is clear from these hadiths. A number of early scholars expressed the same opinion, which is the view of our school. However, al-Shāfiʿī is said to have expressed a different opinion which is not based on a very sound basis. This suggests that a person who shaves his head before stoning and doing the *ṭawāf* must slaughter a sheep in sacrifice. This is based on his other view, which is also unsound, saying that shaving one's head is not a ritual of the hajj. Abu Ḥanīfah and Mālik share this view. Saʿīd ibn Jubayr, al-Ḥasan al-Baṣrī, al-Nakhaʿī and Qatadah, as well as an odd report attributed to Ibn ʿAbbās, said that a person who does these duties in the wrong order, advancing some ahead of others, must give a sacrifice in compensation. All their arguments fall in the light of these hadiths. It may be suggested that these hadiths only mean that there is no sin attached in such a change of order, and that it is possible to delay specifying the compensation required. In reply, we say that the Prophet's response, 'no harm done', or 'there is no harm', makes it clear that nothing is required in reparation. Indeed, some of the questions put to the Prophet show that in some cases shaving was done before the stoning. Scholars unanimously agree that no compensation is due from one who slaughters the sacrifice before stoning. They also agree that with regard to compensation, if any, there is no difference between one who deliberately changes the order and one who unwittingly does so. The difference, according to those who prohibit the change of order, is in incurring sin or otherwise, but God knows best.

The Prophet told his questioners: 'Slaughter your sacrifice, no harm done', and 'Do your stoning, no harm done'. This means that they should

do what still fell due of their duties. What was done was already accepted and no harm would be attached by doing things in a different order.

In hadith No. 2769: ‘God’s Messenger (peace be upon him) stopped while he was on his she-camel. People came, asking of him’. This shows that it is permissible to sit on one’s mount, when necessary. And in No. 2768: ‘Whatever God’s Messenger was asked about of doing one duty before or after another’, meaning of these four duties. In the same hadith: ‘God’s Messenger (peace be upon him) stopped at Mina during the Farewell Pilgrimage, so that people could ask of him’. In No. 2770: ‘As the Prophet was addressing the people on the Day of Sacrifice, a man stood up….’ And in No. 2774 ‘the Prophet was standing near the Jamrah’. *Qadi* ʿIyāḍ said:

> Some scholars said that these reports are understood to refer to one occasion, and that ‘addressing the people’ means ‘teaching them’. It is also possible that these hadiths refer to two different occasions and places. The first was when he stopped near the Jamrah while riding his camel. On this occasion no ‘address’ is mentioned, but simply that he stopped his camel and was asked. The other occasion was after Ẓuhr Prayer on the Day of Sacrifice when he stood up and addressed the people. This is one of the traditional speeches given during the hajj when the Prophet taught them what was to come of their duties and rituals.

The second explanation given by *Qadi* ʿIyāḍ is the correct one.

Four speeches, or *khuṭbahs*, are given during the pilgrimage. The first is in Makkah on the seventh day of Dhul-Ḥijjah, the second at Namirah on the Day of Arafat, the third in Mina on the Day of Sacrifice and the fourth is in Mina on the second of the Tashrīq days. Each one is a single *khuṭbah* after Ẓuhr Prayer, except the one at Namirah which consists of two parts and is delivered before Ẓuhr Prayer but after midday. I explained the evidence concerning all of them, based on authentic hadiths, in *Sharḥ al-Muhadhdhab*, but God knows best.

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i. Related by al-Bukhari, 83, 124, 1736, 1737, 1738, 6665; Abu Dāwūd, 2014; al-Tirmidhī, 916; Ibn Mājah, 3051.

ii. Related by al-Bukhari, 1734.

CHAPTER 58

THE BEST TIME FOR THE *ṬAWĀF AL-IFĀḌAH*

[2776–335]. (Dar al-Salam 3004) Muhammad ibn Rāfiʿ narrated to me:[i] ʿAbd al-Razzāq narrated; ʿUbaydullāh ibn ʿUmar reported; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger performed the *ṭawāf al-ifāḍah* on the Day of Sacrifice, then returned and offered the ẓuhr Prayer at Mina’.**

Nāfiʿ said: **‘Ibn ʿUmar used to perform the *ṭawāf al-ifāḍah* on the Day of Sacrifice then return and offer the ẓuhr Prayer at Mina. He would say that the Prophet did that’.**

حَدَّثَنِي مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا عُبَيْدُ اللهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَفَاضَ يَوْمَ النَّحْرِ، ثُمَّ رَجَعَ فَصَلَّى الظُّهْرَ بِمِنًى. قَالَ نَافِعٌ، فَكَانَ ابْنُ عُمَرَ يُفِيضُ يَوْمَ النَّحْرِ، ثُمَّ يَرْجِعُ فَيُصَلِّي الظُّهْرَ بِمِنًى. وَيَذْكُرُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَعَلَهُ.

Text Explanation

In this hadith narrated by Ibn ʿUmar it is confirmed that the Prophet performed the *ṭawāf al-ifāḍah* on the Day of Sacrifice and returned to Mina where he prayed Ẓuhr. Chapter 19 in this volume included hadith No. 2571 narrated by Jābir and describing the Prophet's pilgrimage in detail. That hadith mentions that the Prophet performed the *ṭawāf al-ifāḍah* on the Day of Sacrifice and prayed Ẓuhr in Mina. There, we explained how to reconcile these two reports, but God knows best.

The present hadith confirms the duty of the *ṭawāf al-ifāḍah* and that it is recommended to perform it early on the Day of Sacrifice. Scholars are unanimous that the *ṭawāf al-ifāḍah* is an essential obligation, i.e., *rukn*, of the hajj, and that without it, the hajj is invalid. They also agree that it is desirable to perform it on the Day of Sacrifice, after the duties of stoning, sacrifice and shaving. If it is delayed and performed during the Tashrīq days, the unanimous view is that this is appropriate and incurs no compensation. If it is delayed further and performed after the Tashrīq days, then according to our school and the majority of scholars, it is still valid and incurs no compensation. Mālik and Abu Ḥanīfah said that if it is delayed for a long time, it must be performed and it incurs the slaughter of a sheep in sacrifice, but God knows best.

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i. Related by Abu Dāwūd, 1998.

CHAPTER 59

STOPPING AT AL-MUḤAṢṢAB AFTER LEAVING MINA

[2777–336]. (Dar al-Salam 3005)[i] Zuhayr ibn Ḥarb narrated to me:[ii] Isḥāq ibn Yūsuf al-Azraq narrated; Sufyān reported; from ʿAbd al-ʿAzīz ibn Rufayʿ. He said: **‘I asked Anas ibn Mālik and said: “Tell me something you remember from God’s Messenger (peace be upon him) – where did he pray ẓuhr on the Day of al-Tarwiyah?” He said: “At Mina”. I said: “Where did he pray ʿAṣr on the day of departure from Mina?” He said: “At al-Abṭaḥ”. He then said: “Do what your leaders do”.’**

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْحَاقُ بْنُ يُوسُفَ الأَزْرَقُ، أَخْبَرَنَا سُفْيَانُ، عَنْ عَبْدِ الْعَزِيزِ بْنِ رُفَيْعٍ، قَالَ: سَأَلْتُ أَنَسَ بْنَ مَالِكٍ قُلْتُ: أَخْبِرْنِي عَنْ شَىْءٍ عَقَلْتَهُ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَيْنَ صَلَّى الظُّهْرَ يَوْمَ التَّرْوِيَةِ؟ قَالَ: بِمِنًى. قُلْتُ: فَأَيْنَ صَلَّى الْعَصْرَ يَوْمَ النَّفْرِ؟ قَالَ بِالأَبْطَحِ. ثُمَّ قَالَ: افْعَلْ مَا يَفْعَلُ أُمَرَاؤُكَ.

[2778–337]. (Dar al-Salam 3006) Muhammad ibn Mihrān al-Rāzī narrated: ʿAbd al-Razzāq narrated; from Maʿmar; from Ayyūb; from Nāfiʿ; from Ibn ʿUmar; that **‘The Prophet (peace be upon him), Abu Bakr and ʿUmar used to stop at al-Abṭaḥ’.**

حَدّثَنَا مُحَمَّدُ بْنُ مِهْرَانَ الرَّازِيَّ، حَدّثَنَا عَبْدُ الرَّزّاقِ، عَنْ مَعْمَرٍ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَأَبَا بَكْرٍ وَعُمَرَ، كَانُوا يَنْزِلُونَ الأَبْطَحَ.

[2779–338]. (Dar al-Salam 3007) Muhammad ibn Ḥātim ibn Maymūn narrated to me: Rawḥ ibn ʿUbādah narrated; Ṣakhr ibn Juwayriyyah narrated; from Nāfiʿ; that **‘Ibn ʿUmar considered stopping at al-Muḥaṣṣab to be a sunnah [i.e., recommended]. He used to pray ẓuhr at al-Muḥaṣṣab on the day of departure from Mina’.**

Nāfiʿ said: ‘God’s Messenger (peace be upon him) and the caliphs after him stopped at al-Muḥaṣṣab’.

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمِ بْنِ مَيْمُونٍ، حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا صَخْرُ بْنُ جُوَيْرِيَةَ، عَنْ نَافِعٍ، أَنَّ ابْنَ عُمَرَ كَانَ يَرَى التَّحْصِيبَ سُنَّةً. وَكَانَ يُصَلِّي الظُّهْرَ يَوْمَ النَّفْرِ بِالْحَصْبَةِ.

قَالَ نَافِعٌ: قَدْ حَصَّبَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَالْخُلَفَاءُ بَعْدَهُ.

[2780–339]. (Dar al-Salam 3008-3009) Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated: both said: ʿAbdullāh ibn Numayr narrated; Hishām narrated; from his father; from ʿĀ’ishah. She said: **‘To stop at al-Abṭaḥ is not a sunnah. God’s Messenger (peace be upon him) stopped there because it was more convenient for his departure when he left’.**

حَدّثَنَا ابُو بَكرِ بْنُ ابِي شَيْبَةَ، وَابُو كرَيْبٍ قَالا: حَدّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، قَالَتْ: نُزُولُ الأَبْطَحِ لَيْسَ بِسُنَّةٍ، إِنَّمَا نَزَلَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَنَّهُ كَانَ أَسْمَحَ لِخُرُوجِهِ إِذَا خَرَجَ.

Abu Bakr ibn Abi Shaybah narrated:[iii] Ḥafṣ ibn Ghiyāth narrated [H]. Also, Abu al-Rabīʿ al-Zahrānī narrated to me; Ḥammād (meaning Ibn Zayd) narrated [H]. And Abu Kāmil narrated; Yazīd ibn Zurayʿ narrated; Ḥabīb al-Muʿallim narrated; all from Hishām; with this chain of transmission: **the same text.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، ح. وَحَدَّثَنِيهِ أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، حَدَّثَنَا حَمَّادٌ (يَعْنِي ابْنَ زَيْدٍ) ح. وَحَدَّثَنَاهُ أَبُو كَامِلٍ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا حَبِيبٌ الْـمُعَلِّمُ، كُلُّهُمْ عَنْ هِشَامٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2781–340]. (Dar al-Salam 3010) ʿAbd ibn Ḥumayd narrated: ʿAbd al-Razzāq reported; Maʿmar reported; from al-Zuhrī; from Sālim; that **‘Abu Bakr, ʿUmar and Ibn ʿUmar used to stop at al-Abṭaḥ’.**

Al-Zuhrī said: **‘ʿUrwah reported to me, from ʿĀ’ishah, that she did not do that. She said: “God’s Messenger (peace be upon him) stopped there because it was a place that was more convenient for his departure”.’**

حَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، أَنَّ أَبَا بَكْرٍ، وَعُمَرَ، وَابْنَ عُمَرَ كَانُوا يَنْزِلُونَ الأَبْطَحَ.

قَالَ الزّهْرِيَّ: وَاخْبَرَنِي عُرْوَةُ، عَنْ عَائِشَةَ، انّهَا لمْ تَكنْ تَفْعَلُ ذَلِكَ. وَقَالَتْ: إِنَّمَا نَزَلَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لأَنَّهُ كَانَ مَنْزِلاً أَسْمَحَ لِخُرُوجِهِ.

[2782–341]. (Dar al-Salam 3011) Abu Bakr ibn Abi Shaybah, Isḥāq ibn Ibrāhīm, Ibn Abi ʿUmar and Ahmad ibn ʿAbdah narrated (Abu Bakr's text):[iv] Sufyān ibn ʿUyaynah narrated; from ʿAmr; from ʿAṭā'; from Ibn ʿAbbās. He said: **'Stopping at al-Muḥaṣṣab is of no importance; it is merely a place where God's Messenger (peace be upon him) stopped'.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَإِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَابْنُ أَبِي عُمَرَ، وَأَحْمَدُ بْنُ عَبْدَةَ (وَاللَّفْظُ لأَبِي بَكْرٍ). حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَمْرٍو، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لَيْسَ التَّحْصِيبُ بِشَىْءٍ إِنَّمَا هُوَ مَنْزِلٌ نَزَلَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2783–342]. (Dar al-Salam 3012) Qutaybah ibn Saʿīd, Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated:[v] all from Ibn ʿUyaynah; Zuhayr said: Sufyān ibn ʿUyaynah narrated; from Ṣāliḥ ibn Kaysān; from Sulaymān ibn Yasār. He said: **'Abu Rāfiʿ said: "God's Messenger (peace be upon him) did not order me to stop at al-Abṭaḥ when he left Mina. I only went there and set up his small tent. When he came, he stopped there".'**

Abu Bakr said in Ṣāliḥ's version: **'I heard Sulaymān ibn Yasār'**, and in Qutaybah's version he said: **'From Abu Rāfiʿ who was in charge of the Prophet's luggage [and travel arrangements]'.**

حَدَّثَنَا قَتَيْبَةُ بْنُ سَعِيدٍ، وَابُو بَكرِ بْنُ ابِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ زُهَيْرٌ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: قَالَ أَبُو رَافِعٍ: لَمْ يَأْمُرْنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ أَنْزِلَ الأَبْطَحَ حِينَ خَرَجَ مِنْ مِنًى، وَلَكِنِّي جِئْتُ فَضَرَبْتُ فِيهِ قُبَّتَهُ، فَجَاءَ فَنَزَلَ.

قَالَ أَبُو بَكْرٍ فِي رِوَايَةِ صَالِحٍ: قَالَ سَمِعْتُ سُلَيْمَانَ بْنَ يَسَارٍ، وَفِي رِوَايَةِ قُتَيْبَةَ قَالَ عَنْ أَبِي رَافِعٍ: وَكَانَ عَلَى ثَقَلِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2784–343]. (Dar al-Salam 3013) Ḥarmalah ibn Yaḥyā narrated to me:[vi] Ibn Wahb reported; Yūnus reported; from Ibn Shihāb; from Abu Salamah ibn ʿAbd al-Raḥmān ibn ʿAwf; from Abu Hurayrah; from God’s Messenger (peace be upon him); that he said: **‘We shall be stopping tomorrow, God willing, at Banī Kinānah’s *khayf*, where they exchanged pledges of disbelief’.**

حَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ، عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ: «نَنْزِلُ غَدًا إِنْ شَاءَ اللهُ بِخَيْفِ بَنِي كِنَانَةَ، حَيْثُ تَقَاسَمُوا عَلَى الْكُفْرِ».

[2785–344]. (Dar al-Salam 3014) Zuhayr ibn Ḥarb narrated to me:[vii] al-Walīd ibn Muslim narrated; al-Awzāʿī narrated to me; al-Zuhrī narrated to me; Abu Salamah narrated to me; Abu Hurayrah

narrated. He said: **‘God’s Messenger (peace be upon him) said to us as we were still in Mina: “We shall be stopping tomorrow at Banī Kinānah’s *khayf*, where they exchanged pledges of disbelief”.’**

This is a reference to the pledges of the Quraysh and Kinānah to boycott the Hāshim and al-Muṭṭalib clans so as not to have any marriage or business transactions with them unless they handed God’s Messenger over to them. He meant al-Muḥaṣṣab.

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ، حَدَّثَنِي الأَوْزَاعِيُّ، حَدَّثَنِي الزُّهْرِيُّ، حَدَّثَنِي أَبُو سَلَمَةَ، حَدَّثَنَا أَبُو هُرَيْرَةَ، قَالَ قَالَ لَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَنَحْنُ بِمِنًى: «نَحْنُ نَازِلُونَ غَدًا بِخَيْفِ بَنِي كِنَانَةَ حَيْثُ تَقَاسَمُوا عَلَى الْكُفْرِ».

وَذَلِكَ إِنَّ قُرَيْشًا وَبَنِي كِنَانَةَ تَحَالَفَتْ عَلَى بَنِي هَاشِمٍ وَبَنِي الْـمُطَّلِبِ أَنْ لاَ يُنَاكِحُوهُمْ وَلاَ يُبَايِعُوهُمْ حَتَّى يُسْلِمُوا إِلَيْهِمْ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. يَعْنِي بِذَلِكَ الْـمُحَصَّبَ.

[2786–345]. (Dar al-Salam 3015) Zuhayr ibn Ḥarb narrated to me: Shabābah narrated; Warqā’ narrated to me; from Abu al-Zināḍ; from al-Aʿraj; from Abu Hurayrah; from the Prophet (peace be upon him). He said: **‘Our stopping place, God willing, shall be, if God facilitates, *al-khayf*, where they exchanged pledges of disbelief’.**

وَحَدّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدّثَنَا شَبَابَةُ، حَدّثَنِي وَرْقَاءُ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «مَنْزِلُنَا إِنْ شَاءَ اللهُ، إِذَا فَتَحَ اللهُ، الْخَيْفُ. حَيْثُ تَقَاسَمُوا عَلَى الْكُفْرِ.

Text Explanation

In this chapter, Muslim relates the hadiths that speak of the Prophet's stopping at al-Abṭaḥ, which is also called al-Muḥaṣṣab, on the day of departure from Mina. These hadiths mention that Abu Bakr, ʿUmar, Ibn ʿUmar and various caliphs used to do the same. However, both ʿĀ'ishah and Ibn ʿAbbās did not stop there. They said that the place was used for convenience only, not deliberately chosen. This means that the Prophet's Companions differed on this point. The view of al-Shāfiʿī, Mālik and the majority of scholars say that it is desirable, so as to emulate the Prophet and the rightly guided caliphs. They all agree that whoever does not do so incurs no violation of anything. It is also desirable to pray Ẓuhr, ʿAṣr, Maghrib and ʿIshā there, and to stay for a part or all of the night, again to follow the Prophet's practice. Al-Muḥaṣṣab, al-Ḥaṣbah, al-Abṭaḥ, al-Baṭḥā' and Bani Kinānah's *khayf* are all names referring to the same place. The word *khayf* means a place that drops down a mountain side but remains higher than the plain. Stopping there was 'more convenient for his departure' means that it made his leaving Makkah and its area to return to Madinah easier.

In hadith No. 2784-6 the Prophet mentions Bani Kinānah's *khayf,* 'where they exchanged pledges of disbelief'. This is where the Quraysh and the Kinānah chiefs forged an alliance and solemnly pledged to each other to impose a boycott on the Prophet and his clan, the Hāshim and al-Muṭṭalib branches of the Quraysh. They put all this in writing and hung the document inside the Kaʿbah. This famous document included several types of falsehood, severance of bonds of kinship and the rejection of faith. God sent worms that ate all that the document contained of disbelief, unkindness and falsehood, leaving only what it contained of God's names. The Angel Gabriel informed the Prophet of all this, and the Prophet related it to his uncle Abu Ṭālib who, in turn, informed the Quraysh who checked it and found it exactly as the Prophet said. The story is well known in the Prophet's history.

Some scholars said that the Prophet's stop at this place was an expression of thanks to God for enabling him to go public after having to preach in secret, and for the victory granted to His faith, but God knows best.

Transmission

The chain of transmission of hadith No. 2783 is as follows: ‘Qutaybah ibn Saʿīd, Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated: all from Ibn ʿUyaynah; Zuhayr said: Sufyān ibn ʿUyaynah narrated; from Ṣāliḥ ibn Kaysān; from Sulaymān ibn Yasār’. After giving the text of the hadith, Muslim adds: ‘Abu Bakr said in Ṣāliḥ’s version: I heard Sulaymān ibn Yasār’. This is how the hadith occurs in most manuscripts. What it means is that the first narration by Qutaybah and Zuhayr says: ‘From Ibn ʿUyaynah, from Ṣāliḥ, from Sulaymān’, while Abu Bakr’s narration mentions: ‘From Ibn ʿUyaynah, from Ṣāliḥ, he said: I heard Sulaymān’. This second narration is better than the other which uses ‘from’. When direct hearing is specifically mentioned, the hadith is unanimously accepted as evidence, while there is some disagreement with regard to reporting ‘from’, even though the narrator using it is known to be ‘not misleading’. We discussed this earlier. In some manuscripts the addition is as follows: ‘Abu Bakr said in Ṣāliḥ’s version’, while in others it is: ‘Abu Bakr said in a version from Ṣāliḥ: I heard Sulaymān’. The first of these two is the correct one. *Qadi* ʿIyāḍ enters it so, as reported by the majority. He also comments saying: ‘it is the correct one’.

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i. This hadith is placed in the previous chapter in the Arabic original, but it clearly belongs in this chapter.
ii. Related by al-Bukhari, 1653, 1654, 1763; Abu Dāwūd, 1912; al-Tirmidhī, 964.
iii. Related by al-Tirmidhī, 923; Ibn Mājah, 3067.
iv. Related by al-Bukhari, 1766; al-Tirmidhī, 922.
v. Related by Abu Dāwūd, 2009.
vi. Related by al-Bukhari, 7479.
vii. Related by al-Bukhari, 1590; Abu Dāwūd, 2011.

CHAPTER 60

THE DUTY OF STAYING IN MINA ON THE TASHRĪQ NIGHTS

[2787–346]. (Dar al-Salam 3016-3017) Abu Bakr ibn Abi Shaybah narrated: Ibn Numayr and Abu Usāmah narrated; both said: ʿUbaydullāh narrated; from Nāfiʿ; from Ibn ʿUmar [H]. Also, Ibn Numayr narrated (his text); my father narrated; ʿUbaydullāh narrated; Nāfiʿ narrated to me; from Ibn ʿUmar; that **‘Al-ʿAbbās ibn ʿAbd al-Muṭṭalib requested God’s Messenger’s permission to stay in Makkah during the Mina nights in order to attend to his duty of providing drinking water. The Prophet granted his request’.**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا ابْنُ نُمَيْرٍ، وَأَبُو أُسَامَةَ قَالا: حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ، حَدَّثَنِي نَافِعٌ، عَنِ ابْنِ عُمَرَ، أَنَّ الْعَبَّاسَ بْنَ عَبْدِ الْـمُطَّلِبِ اسْتَأْذَنَ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَبِيتَ بِمَكَّةَ لَيَالِيَ مِنًى، مِنْ أَجْلِ سِقَايَتِهِ، فَأَذِنَ لَهُ.

Isḥāq ibn Ibrāhīm narrated: ʿĪsā ibn Yūnus reported [H]. Muhammad ibn Ḥātim and ʿAbd ibn Ḥumayd narrated to me; all from Muhammad ibn Bakr; Ibn Jurayj reported; both from

ʿUbaydullāh ibn ʿUmar; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا عِيسَى بْنُ يُونُسَ، ح. وَحَدَّثَنِيهِ مُحَمَّدُ بْنُ حَاتِمٍ، وَعَبْدُ بْنُ حُمَيْدٍ، جَمِيعًا عَنْ مُحَمَّدِ بْنِ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، كِلاَهُمَا عَنْ عُبَيْدِ اللهِ بْنِ عُمَرَ، بِهَذَا الإِسْنَادِ مِثْلَهُ.

[2788–347]. (Dar al-Salam 3018) Muhammad ibn al-Minhāl al-Ḍarīr narrated to me: Yazīd ibn Zurayʿ narrated; Ḥumayd al-Ṭawīl narrated; from Bakr ibn ʿAbdullāh al-Muzanī. He said: **‘I was sitting at the Kaʿbah with Ibn ʿAbbās when a Bedouin came to him and said: “I see your cousins giving people drinks of honey and milk while you are giving fruit-sweetened drinks. Is it due to your poverty or stinginess?” Ibn ʿAbbās said: “All praise be to God. We are neither poor nor stingy. The Prophet came on his she-camel, with Usāmah behind him. He asked for a drink, and we brought him a jug of a fruit-sweetened drink and he drank of it and gave the rest to Usāmah to drink. He said: ‘You have done fine and well. Continue to do this’. We do not wish to change what God’s Messenger (peace be upon him) ordered”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ الْـمِنْهَالِ الضَّرِيرُ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا حُمَيْدٌ الطَّوِيلُ، عَنْ بَكْرِ بْنِ عَبْدِ اللهِ الْـمُزَنِيِّ، قَالَ: كُنْتُ جَالِسًا مَعَ ابْنِ عَبَّاسٍ عِنْدَ الْكَعْبَةِ، فَأَتَاهُ أَعْرَابِيٌّ فَقَالَ: مَا لِي أَرَى بَنِي عَمِّكُمْ يَسْقُونَ الْعَسَلَ وَاللَّبَنَ، وَأَنْتُمْ تَسْقُونَ النَّبِيذَ؟ أَمِنْ حَاجَةٍ بِكُمْ أَمْ مِنْ بُخْلٍ؟ فَقَالَ ابْنُ عَبَّاسٍ: الْحَمْدُ لِلَّهِ مَا بِنَا مِنْ حَاجَةٍ

وَلاَ بُخْلٍ. قَدِمَ النّبِيَّ صَلى اللهُ عَلَيْهِ وَسَلمَ عَلى رَاحِلتِهِ، وَخَلْفَهُ أُسَامَةُ، فَاسْتَسْقَى، فَأَتَيْنَاهُ بِإِنَاءٍ مِنْ نَبِيذٍ، فَشَرِبَ وَسَقَى فَضْلَهُ أُسَامَةَ. وَقَالَ: «أَحْسَنْتُمْ وَأَجْمَلْتُمْ. كَذَا فَاصْنَعُوا». فَلاَ نُرِيدُ تَغْيِيرَ مَا أَمَرَ بِهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

Hadith No. 2787 says: ‘Al-ʿAbbās ibn ʿAbd al-Muṭṭalib requested God’s Messenger’s permission to stay in Makkah during the Mina nights, in order to attend to his duty of providing drinking water. The Prophet granted his request’. This confirms two points: the first is that staying the nights of the Tashrīq days at Mina is required. This is agreed upon, but scholars differ as to whether it is a duty or recommended, i.e., sunnah. Al-Shāfiʿī gives two views, the more correct of which is that it is a duty. This is endorsed by Mālik and Ahmad. The other view is that it is a sunnah. This is the view of Ibn ʿAbbās, al-Ḥasan and Abu Ḥanīfah. Scholars who say that it is a duty require a compensation for its omission in the form of a sacrifice of one sheep. If we say that it is a sunnah, the sacrifice for its omission becomes desirable, not a duty. As to the length of time required to stay during the night, al-Shāfiʿī mentions two views, the more correct of which is ‘most of the night’, and the other is for a short period.

The other point is that it is permissible for the people in charge of providing drinking water for the pilgrims not to stay in Mina but to go to Makkah so that they can draw the water from Zamzam during the night and put it in ponds so that it is made available to whoever needs a drink. According to al-Shāfiʿī, this is not exclusive to the ʿAbbās family and their descendants but applies to anyone who is engaged in the provision of drinking water. The same is the case if some other people start a second service of providing water. Those who work in the provision of this service do not have to stay in Mina. This is the correct view.

Some of our scholars say that this concession applies only to al-ʿAbbās’ water service, while others suggest that it applies only to al-ʿAbbās’ family and descendants. Others still say that it applies to the Hāshimites, whether of al-ʿAbbās’ household or others. This makes up four different views of our scholars, and the first is the most correct of these, but God knows best. It should be known that al-ʿAbbās’ water service belongs to al-ʿAbbās’ family and their descendants. It belonged to al-ʿAbbās in pre-Islamic days and the Prophet confirmed this to him. Therefore, it belongs to them for all time.

In the hadith No. 2788 Ibn ʿAbbās says: ‘The Prophet came on his she-camel, with Usāmah behind him. He asked for a drink and we brought him a jug of a fruit-sweetened drink and he drank of it and gave the rest to Usāmah to drink. He said: “You have done fine and well. Continue to do this”.’ The hadith provides evidence in support of the points I have explained. In the light of this hadith, our scholars agree that it is recommended for pilgrims and others to partake of a drink from al-ʿAbbās’ service. This is a drink of water sweetened with raisins, dates, or similar fruits, giving it a sweet taste and remaining alcohol-free. If it were to be kept for several days, however, it would become alcoholic and intoxicate. In this case it would become forbidden to drink.

The Prophet said to his relatives attending to people’s drinks: ‘You have done fine and well’. This shows that it is recommended to praise the people serving the drinks and whoever does a favour to others, but God knows best.

Transmission

The chain of transmission of hadith No. 2787 includes: ‘Abu Bakr ibn Abi Shaybah narrated: Ibn Numayr and Abu Usāmah narrated; both said: ʿUbaydullāh narrated; from Nāfiʿ’. This is how it occurs in most or all copies in our areas. In some copies of Western areas [i.e., North Africa and Andalusia] it is: ‘Abu Bakr ibn Abi Shaybah narrated; Zuhayr and Abu Usāmah narrated’. Thus, Ibn Numayr is replaced by Zuhayr. Abu ʿAlī al-Ghassānī and *Qadi* ʿIyāḍ said: ‘In Ibn Māhān’s narration from Ibn Sufyān, from Muslim the verb is “he said”, while in Abu Ahmad al-Julūdī’s narration from Ibn Sufyān, from Zuhayr, it occurs: “both said”. This is an error, and the correct thing is to say “Ibn Numayr: both said”. This is how Abu Bakr ibn Abi Shaybah relates it in his *al-Musnad* anthology’. This is what both said. Khalaf al-Wāsiṭī mentions in his book *al-Aṭrāf*: ‘Abu Bakr ibn Abi Shaybah narrated, Ibn Numayr and Abu Usāmah narrated’. He does not mention Zuhayr.

CHAPTER 61

GIVING AWAY ALL PARTS OF SACRIFICIAL ANIMALS

[2789–348]. (Dar al-Salam 3019-3020) Yaḥyā ibn Yaḥyā narrated:[i] Abu Khaythamah reported; from ʿAbd al-Karīm; from Mujāhid; from ʿAbd al-Raḥmān ibn Abi Laylā; from ʿAlī. He said: **‘God’s Messenger (peace be upon him) commanded me to attend to his sacrificed camels and to give away [in charity] their meat, hide and coverings. I must not give the butcher anything from them. He said: “We will give him [his wages]”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا أَبُو خَيْثَمَةَ، عَنْ عَبْدِ الْكَرِيمِ، عَنْ مُجَاهِدٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنْ عَلِيٍّ، قَالَ أَمَرَنِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ أَقُومَ عَلَى بُدْنِهِ، وَأَنْ أَتَصَدَّقَ بِلَحْمِهَا وَجُلُودِهَا وَأَجِلَّتِهَا. وَأَنْ لاَ أُعْطِيَ الْجَزَّارَ مِنْهَا. قَالَ: «نَحْنُ نُعْطِيهِ مِنْ عِنْدِنَا».

Abu Bakr ibn Abi Shaybah, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated: they said: Ibn ʿUyaynah narrated; from ʿAbd al-Karīm al-Jazarī; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ اِبُو بَكرِ بْنُ ابِي شَيْبَةَ، وَعَمْرٌو النّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ، قَالُوا: حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنْ عَبْدِ الْكَرِيمِ الْجَزَرِيِّ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2790–000]. (Dar al-Salam 3021) Isḥāq ibn Ibrāhīm narrated: Sufyān reported; And Isḥāq ibn Ibrāhīm said: Muʿādh ibn Hishām reported; he said: my father reported to me; both from Ibn Abi Nujayḥ; from Mujāhid; from Ibn Abi Laylā; from ʿAlī; from the Prophet: **the same text, but their narration does not refer to the butcher’s wages.**

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا سُفْيَانُ، وَقَالَ إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا مُعَاذُ بْنُ هِشَامٍ، قَالَ أَخْبَرَنِي أَبِي، كِلاَهُمَا عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ عَلِيٍّ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. وَلَيْسَ فِي حَدِيثِهِمَا أَجْرُ الْجَازِرِ.

[2791–349]. (Dar al-Salam 3022-3023) Muhammad ibn Ḥātim ibn Maymūn, Muhammad ibn Marzūq and ʿAbd ibn Ḥumayd narrated to me: Muhammad ibn Bakr (ʿAbd said: ‘reported’ and the other two said: ‘narrated’); Ibn Jurayj reported; al-Ḥasan ibn Muslim reported to me; that Mujāhid reported to him; that ʿAbd al-Raḥmān ibn Abi Laylā reported to him; that ʿAlī ibn Abi Ṭālib told him that **‘God’s Messenger (peace be upon him) commanded him to attend to his sacrificed camels and to distribute them all, meat, hide and coverings, among the poor, and that he must not give any portion of them in lieu of their slaughter’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمِ بْنِ مَيْمُونٍ، وَمُحَمَّدُ بْنُ مَرْزُوقٍ، وَعَبْدُ بْنُ حُمَيْدٍ، (قَالَ عَبْدٌ أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ، أَنَّ مُجَاهِدًا أَخْبَرَهُ، أَنَّ عَبْدَ الرَّحْمَنِ بْنَ أَبِي لَيْلَى أَخْبَرَهُ، أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ أَخْبَرَهُ أَنَّ نَبِيَّ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَهُ أَنْ يَقُومَ عَلَى بُدْنِهِ. وَأَمَرَهُ أَنْ يَقْسِمَ بُدْنَهُ كُلَّهَا: لُحُومَهَا وَجُلُودَهَا وَجِلاَلَهَا فِي الْـمَسَاكِينِ، وَلاَ يُعْطِيَ فِي جِزَارَتِهَا مِنْهَا شَيْئًا.

Muhammad ibn Ḥātim narrated to me: Muhammad ibn Bakr narrated; Ibn Jurayj reported; ʿAbd al-Karīm ibn Mālik al-Jazarī reported to me; that Mujāhid reported to him; that ʿAbd al-Raḥmān ibn Abi Laylā reported to him; that ʿAlī ibn Abi Ṭālib reported to him that the Prophet (peace be upon him) commanded him: **the same text.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي عَبْدُ الْكَرِيمِ بْنُ مَالِكٍ الْجَزَرِيُّ، أَنَّ مُجَاهِدًا أَخْبَرَهُ، أَنَّ عَبْدَ الرَّحْمَنِ بْنَ أَبِي لَيْلَى أَخْبَرَهُ، أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ أَخْبَرَهُ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَهُ بِمِثْلِهِ.

Text Explanation

This hadith includes several points, such as the desirability of bringing one's sacrifice, the permissibility of deputizing the task of slaughtering it, attending to it and distributing its meat and making it a charitable donation [i.e., *ṣadaqah*] which includes its meat, hide and coverings. It is desirable to give the animal to be sacrificed a good covering. The butcher who slaughters the sacrifice is not to be given a portion of the meat of sacrifice. What he is given is in lieu of his work, and if this is a portion of the sacrifice, it becomes akin to selling a portion of the sacrificed animal, and this is not permissible. The hadith also shows that it is permissible to hire someone to perform the slaughter or other duties.

According to our Shāfiʿī School, it is not permissible to sell the hide of the sacrificed animal or any portion of it. These may not be used at home or anywhere else. This applies to all sacrifice, whether it is a duty or a sunnah. However, if the sacrifice is a voluntary one, i.e., not a duty or part of a duty, it is permissible for the one donating it to use its hide and other material, including making clothes out of it. The butcher may not be given any portion of the sacrifice in lieu of its slaughter. This is the view of our school, and this is endorsed by ʿAṭā', al-Nakhaʿī, Mālik, Ahmad and Isḥāq. Ibn al-Mundhir reports that Ibn ʿUmar, Ahmad and Isḥāq said that it is permissible for a person to sell the hide of his obligatory sacrifice and give its price to charity. He added that Abu Thawr said that it is permissible to sell it. Al-Nakhaʿī and al-Awzāʿī said that its price may be used to buy some tools, such as a sieve, an axe, scales, etc. Al-Ḥasan al-Baṣrī said that it is permissible to give the hide to the butcher, but this is contrary to the sunnah, and God knows best.

Qadi ʿIyāḍ said:

> Placing a cover on the sacrificial animal is a sunnah. According to scholars it applies only to camels intended for sacrifice. This was a well-known practice by people of the early generations. Mālik, al-Shāfiʿī, Abu Thawr and Isḥāq saw it. They said that it should be done after marking the animals, so that it would not be stained with blood. They said that the chosen material should be according to

what the person giving the sacrifice could afford. People of the early generations used different materials for the purpose. Mālik said that if the covering was cheap, it should be cut around the hump, so that it would not fall. He added that the only one not to do this was Ibn ʿUmar because he wanted the covering to remain usable. He used to choose fine, expensive material for his coverings. He did not place the covering on the sacrificial animals until he started from Mina towards Arafat. However, he is also said to have started using the coverings from Dhul-Ḥulayfah, and that he used to tie the ends of the cover on the camels' tails. If he travelled walking, he removed the coverings. On the Day of Arafat, he would place the coverings on the animals, and when he reached the slaughter place, he would remove them so that they would not be stained with blood. Mālik said that the coverings were removed at night so that they would not be torn by thorns. If the coverings were expensive, they should not be cut [at the hump], and the animals should not be covered until the pilgrim proceeded to Arafat. If they were cheap, then the covering could be cut and used from the time the pilgrim enters into *iḥrām*.

Cutting the covering around the hump has another advantage, which is to keep the marking visible. If the cover is not cut, the marking will be covered. Scholars said that the hadith also shows that the cover is to be given away as charity. Ibn ʿUmar used to give it away as covering for the Kaʿbah, but when the Kaʿbah was given a special covering, Ibn ʿUmar used to give the covering of his sacrificial animals as charity, but God knows best.

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i. Related by al-Bukhari, 1707, 1716, 1717, 1718, 2299; Abu Dāwūd, 1769; Ibn Mājah, 3099.

CHAPTER 62

SHARED SACRIFICE – ONE COW FOR SEVEN PEOPLE

[2792–350]. (Dar al-Salam 3024) Qutaybah ibn Saʿīd narrated:[i] Mālik narrated [H]. Also, Yaḥyā ibn Yaḥyā narrated (his text); he said: I read out to Mālik; from Abu al-Zubayr; from Jābir ibn ʿAbdullāh. He said: **‘We sacrificed with God’s Messenger in the Year of al-Ḥudaybiyah: a camel for seven people and a cow for seven people’.**

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا مَالِكٌ، ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ) قَالَ: قَرَأْتُ عَلَى مَالِكٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ قَالَ: نَحَرْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ الْحُدَيْبِيَةِ: الْبَدَنَةَ عَنْ سَبْعَةٍ، وَالْبَقَرَةَ عَنْ سَبْعَةٍ.

[2793–351]. (Dar al-Salam 3025) Yaḥyā ibn Yaḥyā narrated: Abu Khaythamah reported; from Abu al-Zubayr; from Jābir [H]. Also, Ahmad ibn Yūnus narrated; Zuhayr narrated; Abu al-Zubayr narrated; from Jābir. He said: **‘We set out with God’s Messenger declaring our *iḥrām* for the hajj. God’s Messenger (peace be upon him) ordered us to share our sacrificial camels and cows – seven people share one camel’.**

وَحَدّثَنَا يَحْيَى بْنُ يَحْيَى، اخْبَرَنَا ابُو خَيْثَمَةَ، عَنْ ابِي الزُّبَيْرِ، عَنْ جَابِرٍ، ح. وَحَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ، حَدَّثَنَا زُهَيْرٌ، حَدَّثَنَا أَبُو الزُّبَيْرِ، عَنْ جَابِرٍ، قَالَ: خَرَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُهِلِّينَ بِالْحَجِّ. فَأَمَرَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ نَشْتَرِكَ فِي الإِبِلِ وَالْبَقَرِ: كُلُّ سَبْعَةٍ مِنَّا فِي بَدَنَةٍ.

[2794–352]. (Dar al-Salam 3026) Muhammad ibn Ḥātim narrated to me: Wakīʿ narrated; ʿAzrah ibn Thābit narrated; from Abu al-Zubayr; from Jābir ibn ʿAbdullāh. He said: **‘We performed the hajj with God’s Messenger (peace be upon him), and we slaughtered each camel for seven people and each cow for seven’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا عَزْرَةُ بْنُ ثَابِتٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ، قَالَ: حَجَجْنَا مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَنَحَرْنَا الْبَعِيرَ عَنْ سَبْعَةٍ، وَالْبَقَرَةَ عَنْ سَبْعَةٍ.

[2795–353]. (Dar al-Salam 3027) Muhammad ibn Ḥātim nar-rated to me: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘We shared with the Prophet during the hajj and the ʿumrah: every seven people shared one *badanah*’. A man said to Jābir: ‘May a *badanah* be shared as a *jazūr* is shared?’ [Jābir] said: ‘They are both the same’.**

Jābir attended at al-Ḥudaybiyah. He said: ‘We slaughtered seventy camels on that day, sharing them one camel for every

seven people’.

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ قَالَ: اشْتَرَكْنَا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي الْحَجِّ وَالْعُمْرَةِ: كُلُّ سَبْعَةٍ فِي بَدَنَةٍ. فَقَالَ رَجُلٌ لِجَابِرٍ: أَيُشْتَرَكُ فِي الْبَدَنَةِ مَا يُشْتَرَكُ فِي الْجَزُورِ؟ قَالَ: مَا هِيَ إِلاَّ مِنَ الْبُدْنِ.

وَحَضَرَ جَابِرٌ الْحُدَيْبِيَةَ قَالَ نَحَرْنَا يَوْمَئِذٍ سَبْعِينَ بَدَنَةً، اشْتَرَكْنَا كُلُّ سَبْعَةٍ فِي بَدَنَةٍ.

[2796–354]. (Dar al-Salam 3028) Muhammad ibn Ḥātim narrated to me: Muhammad ibn Bakr narrated; Ibn Jurayj reported; Abu al-Zubayr reported; that he heard Jābir ibn ʿAbdullāh narrating about the Prophet’s hajj. He said: **‘He commanded us to give a sacrifice as we had released ourselves from consecration and that a few of us might share the same sacrifice. This was when [the Prophet] ordered them in this hadith to release themselves from their *iḥrām* for the hajj’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنَا أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ يُحَدِّثُ عَنْ حَجَّةِ النَّبِيِّ، صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، قَالَ: فَأَمَرَنَا إِذَا أَحْلَلْنَا أَنْ نُهْدِيَ، وَيَجْتَمِعَ النَّفَرُ مِنَّا فِي الْهَدِيَّةِ. وَذَلِكَ حِينَ أَمَرَهُمْ أَنْ يَحِلُّوا مِنْ حَجِّهِمْ فِي هَذَا الْحَدِيثِ.

[2797–355]. (Dar al-Salam 3029) Yaḥyā ibn Yaḥyā narrated:[ii] Hushaym reported; from ʿAbd al-Malik; from ʿAṭā’; from Jābir ibn ʿAbdullāh. He said: **‘We were with God’s Messenger (peace be upon him) and we took advantage of the ʿumrah, slaughtering one cow for seven people, sharing it’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا هُشَيْمٌ، عَنْ عَبْدِ الْـمَلِكِ، عَنْ عَطَاءٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ قَالَ: كُنَّا نَتَمَتَّعُ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْعُمْرَةِ، فَنَذْبَحُ الْبَقَرَةَ عَنْ سَبْعَةٍ نَشْتَرِكُ فِيهَا.

[2798–356]. (Dar al-Salam 3030) ʿUthmān ibn Abi Shaybah narrated: Yaḥyā ibn Zakariyyā’ ibn Abi Zā’idah narrated; from Ibn Jurayj; from Abu al-Zubayr; from Jābir. He said: **‘God’s Messenger (peace be upon him) slaughtered a cow on behalf of ʿĀ’ishah on the Day of Sacrifice’.**

حَدَّثَنَا عُثْمَانُ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا يَحْيَى بْنُ زَكَرِيَّاءَ بْنِ أَبِي زَائِدَةَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: ذَبَحَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ عَائِشَةَ بَقَرَةً يَوْمَ النَّحْرِ.

[2799–357]. (Dar al-Salam 3031) Muhammad ibn Ḥātim narrated to me: Muhammad ibn Bakr narrated; Ibn Jurayj reported [H]. Also, Saʿīd ibn Yaḥyā al-Umawī narrated to me; my father narrated to me; Ibn Jurayj narrated; Abu al-Zubayr reported to me; that he heard Jābir ibn ʿAbdullāh say: **‘God’s Messenger slaughtered the sacrifice on behalf of his wives’. And in Ibn Bakr’s narration: ‘A cow in his hajj on behalf of ʿĀ’ishah’.**

وَحَدّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدّثَنَا مُحَمَّدُ بْنُ بَكرٍ، اخْبَرَنَا ابْنُ جُرَيْجٍ، ح. وَحَدَّثَنِي سَعِيدُ بْنُ يَحْيَى الأُمَوِيُّ، حَدَّثَنِي أَبِي، حَدَّثَنَا ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللهِ يَقُولُ: نَحَرَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ نِسَائِهِ. وَفِي حَدِيثِ ابْنِ بَكْرٍ: عَنْ عَائِشَةَ بَقَرَةً فِي حَجَّتِهِ.

Text Explanation

In the hadith No. 2792 Jābir, the narrator, says: ‘We sacrificed with God’s Messenger in the Year of al-Ḥudaybiyah: a camel for seven people and a cow for seven people’. And in No. 2793 he says: ‘We set out with God’s Messenger declaring our *iḥrām* for the hajj. God’s Messenger (peace be upon him) ordered us to share our sacrificial camels and cows: seven people share one camel’. Yet in No. 2795 he says: ‘We shared with the Prophet during the hajj and the ʿumrah: every seven people shared one *badanah*’. These hadiths provide evidence confirming the permissibility of sharing the sacrifice. This is subject to different views among scholars. Al-Shāfiʿī’s view is that sharing the sacrifice is permissible, whether the sacrifice is a duty or recommended, and whether all the people sharing it are doing it for a religious purpose or only some doing so while the others want their share of the meat. These hadiths serve as his evidence. The same view is shared by Ahmad and the majority of scholars. Dāwūd and some Mālikī scholars say that it is permissible to share in the recommended sacrifice, but not in what is a duty. Mālik says that it is not permissible in any situation while Abu Ḥanīfah says that it is permissible if all participants are sacrificing for a religious purpose. Otherwise, it is not. Scholars are unanimous that if the sacrificed animal is a sheep, it cannot be shared.

These hadiths make it clear that a camel may be shared by seven people and the same applies to a cow. Each is deemed equivalent to seven sheep. Suppose that a pilgrim must sacrifice seven sheep, for errors other than the penalty for hunting, and he sacrifices one camel or cow, this then is sufficient for all seven.

In the hadith No. 2795 a man asks Jābir whether a *badanah* may be shared like a *jazūr*. [Both words refer to camels.] *Qadi* ʿIyāḍ said: ‘The questioner differentiates between the two because a *badanah* is marked for sacrifice at the time when the pilgrim enters into consecration, while a *jazūr* is bought later for the purpose. The questioner thought that the latter was more qualified for sharing. In answer, Jābir said that since a *jazūr* is bought for a religious purpose, it is treated in the same way as the other’.

Hadith No. 2796 says: ‘He commanded us to give a sacrifice as we had released ourselves from consecration, and that a few of us might share the same sacrifice. This was when [the Prophet] ordered them in this hadith to release themselves from their *iḥrām* for the hajj’. Several points of interest are included in this hadith. These include that a sacrifice is a duty that must be fulfilled by a pilgrim who performs the hajj in the *tamattuʿ* method. Sharing a sacrificial animal to discharge a duty of sacrifice is permissible because the sacrifice is a duty for *tamattuʿ*, and this hadith clearly sanctions sharing a sacrificial animal to discharge such a duty. This is contrary to Mālik’s view, which we mentioned a short while earlier.

The hadith also provides evidence confirming the permissibility of slaughtering the sacrifice for *tamattuʿ* after one has released oneself from consecration at the end of the ʿumrah and before re-entering consecration for the hajj. This point is subject to different views. According to our Shāfiʿī School, the *tamattuʿ* sacrifice becomes a duty after one has completed the ʿumrah then started the *iḥrām* for the hajj. Once a person doing the *tamattuʿ* begins the *iḥrām* for the hajj, the sacrifice becomes an incumbent duty. Three views are expressed concerning the time of its validity. The correct view, which is agreed upon by the majority of scholars, is that it is permissible after finishing the ʿumrah and before starting the *iḥrām* for the hajj. The second view is that it is not valid until one has started the *iḥrām* for the hajj, and the third is that it is valid once the *iḥrām* for the ʿumrah has started, but God knows best.

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i. Related by Abu Dāwūd, 2809; al-Tirmidhī, 904 and 1502; Ibn Mājah, 3132.

ii. Related by Abu Dāwūd, 2807; al-Nasā’ī, 4405.

CHAPTER 63

CAMEL SLAUGHTER

[2800–358]. (Dar al-Salam 3032) Yaḥyā ibn Yaḥyā narrated:[i] Khālid ibn ʿAbdullāh reported; from Yūnus; from Ziyād ibn Jubayr; that **‘Ibn ʿUmar passed by a man who was slaughtering his camel when she was sitting. He said: “Let her rise and be tied. Such is your Prophet’s Sunnah”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا خَالِدُ بْنُ عَبْدِ اللهِ، عَنْ يُونُسَ، عَنْ زِيَادِ بْنِ جُبَيْرٍ، أَنَّ ابْنَ عُمَرَ أَتَى عَلَى رَجُلٍ وَهُوَ يَنْحَرُ بَدَنَتَهُ بَارِكَةً. فَقَالَ: ابْعَثْهَا قِيَامًا مُقَيَّدَةً، سُنَّةَ نَبِيِّكُمْ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

This hadith shows that it is desirable to slaughter a camel standing with its front left leg tied. An authentic hadith related by Abu Dāwūd in his *Sunan* anthology and narrated by Jābir says that the Prophet and his Companions used to slaughter camels with their front left legs tied, such that they stood on their other three legs. The chain of transmission of this hadith meets Muslim's conditions. Al-Shāfiʿī, Mālik, Ahmad and the majority of scholars agree that it is preferable to slaughter camels in this way, standing and with their left front legs tied. Abu Ḥanīfah and al-Thawrī said that it is equally good to slaughter camels standing or sitting. *Qadi* ʿIyāḍ mentions that Ṭāwūs considered it better to sit a camel for slaughter, but this is contrary to the sunnah, but God knows best.

As for slaughtering cows and sheep, it is preferable to lie them on their left sides at the time of slaughter, with their right legs free and the other three tied.

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i. Related by al-Bukhari, 1713; Abu Dāwūd, 1768.

CHAPTER 64

SENDING A SACRIFICE TO THE ḤARAM

[2801–359]. (Dar al-Salam 3033) Yaḥyā ibn Yaḥyā and Muhammad ibn Rumḥ narrated:[i] both said: al-Layth reported [H]. Also, Qutaybah narrated; Layth narrated; from Ibn Shihāb; from ʿUrwah ibn al-Zubayr and ʿAmrah bint ʿAbd al-Raḥmān; that ʿĀ'ishah said: **'God's Messenger (peace be upon him) sent some sacrifice from Madinah, and I would twine the bands of his sacrifice. He would not refrain from anything a person in *iḥrām* refrains from'.**

Ḥarmalah ibn Yaḥyā narrated this hadith to me; Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; with the same chain of transmission: **the same text.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَمُحَمَّدُ بْنُ رُمْحٍ، قَالا: أَخْبَرَنَا اللَّيْثُ، ح. وَحَدَّثَنَا قُتَيْبَةُ، حَدَّثَنَا لَيْثٌ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، وَعَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، أَنَّ عَائِشَةَ قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُهْدِي مِنَ الْـمَدِينَةِ، فَأَفْتِلُ قَلاَئِدَ هَدْيِهِ ثُمَّ لاَ يَجْتَنِبُ شَيْئًا مِمَّا يَجْتَنِبُ الْـمُحْرِمُ.

وَحَدَّثَنِيهِ حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2802–360]. (Dar al-Salam 3034) Saʿīd ibn Manṣūr and Zuhayr ibn Ḥarb narrated: both said: Sufyān narrated; from al-Zuhrī; from ʿUrwah; from ʿĀ’ishah; from the Prophet (peace be upon him) [H]. Also, Saʿīd ibn Manṣūr, Khalaf ibn Hishām and Qutaybah ibn Saʿīd narrated; they said: Ḥammād ibn Zayd reported; from Hishām ibn ʿUrwah; from his father; from ʿĀ’ishah; she said: **‘I can almost see myself twining the bands of God’s Messenger’s sacrifice… a similar text’.**

وَحَدَّثَنَاهُ سَعِيدُ بْنُ مَنْصُورٍ، وَزُهَيْرُ بْنُ حَرْبٍ، قَالا: حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ،عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ح. وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَخَلَفُ بْنُ هِشَامٍ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، قَالُوا أَخْبَرَنَا حَمَّادٌ، بْنُ زَيْدٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، قَالَتْ: كَأَنِّي أَنْظُرُ إِلَيَّ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ... بِنَحْوِهِ.

[2803–361]. (Dar al-Salam 3035) Saʿīd ibn Manṣūr narrated: Sufyān narrated; from ʿAbd al-Raḥmān ibn al-Qāsim; from his father. He said: **‘I heard ʿĀ’ishah say: “I used to twine the bands of God’s Messenger’s sacrifice with these, my two hands. He would not subsequently refrain from or abandon anything”.’**

وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، قَالَ سَمِعْتُ عَائِشَةَ تَقُولُ: كُنْتُ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، بِيَدَيَّ هَاتَيْنِ، ثُمَّ لاَ يَعْتَزِلُ شَيْئًا، وَلاَ يَتْرُكُهُ.

[2804–362]. (Dar al-Salam 3036) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[ii] Aflaḥ narrated; from al-Qāsim; from ʿĀ’ishah. She said: **‘I twined the bands of God’s Messenger’s sacrificial camels with my hands. He then drew some blood from the camels and tied the bands [on the camels]. He then sent [the camels] to the Kaʿbah, but he stayed in Madinah. Nothing that was permissible to him became forbidden’.**

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا أَفْلَحُ، عَنِ الْقَاسِمِ، عَنْ عَائِشَةَ، قَالَتْ: فَتَلْتُ قَلاَئِدَ بُدْنِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدَيَّ، ثُمَّ أَشْعَرَهَا وَقَلَّدَهَا، ثُمَّ بَعَثَ بِهَا إِلَى الْبَيْتِ وَأَقَامَ بِالْـمَدِينَةِ، فَمَا حَرُمَ عَلَيْهِ شَىْءٌ كَانَ لَهُ حِلاًّ.

[2805–363]. (Dar al-Salam 3037) ʿAlī ibn Ḥujr al-Saʿdī and Yaʿqūb ibn Ibrāhīm al-Dawraqī narrated: Ibn Ḥujr said: Ismāʿīl ibn Ibrāhīm narrated; from Ayyūb; from al-Qāsim and Abu Qilābah; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) used to send sacrificial animals and I would twine their bands with my hand. He would not abstain from anything that is lawful to a person who is not in consecration’.**

وَحَدَّثَنَا عَلِيُّ بْنُ حُجْرٍ السَّعْدِيُّ، وَيَعْقُوبُ بْنُ إِبْرَاهِيمَ الدَّوْرَقِيُّ. قَالَ ابْنُ حُجْرٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، عَنْ أَيُّوبَ، عَنِ الْقَاسِمِ، وَأَبِي قِلاَبَةَ، عَنْ عَائِشَةَ قَالَتْ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَبْعَثُ بِالْهَدْيِ، أَفْتِلُ قَلاَئِدَهَا بِيَدَيَّ، ثُمَّ لاَ يُمْسِكُ عَنْ شَىْءٍ لاَ يُمْسِكُ عَنْهُ الْحَلاَلُ.

[2806–364]. (Dar al-Salam 3038) Muhammad ibn al-Muthannā narrated:[iii] Ḥusayn ibn al-Ḥasan narrated; Ibn ʿAwn narrated; from al-Qāsim; from the Mother of the Believers. She said: **‘I twined those bands with some wool we had. God’s Messenger was subsequently with us, not in consecration. He would do with his family whatever a person who is not in consecration does; or he would do whatever a man does with his family’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا حُسَيْنُ بْنُ الْحَسَنِ، حَدَّثَنَا ابْنُ عَوْنٍ، عَنِ الْقَاسِمِ، عَنْ أُمِّ الْـمُؤْمِنِينَ، قَالَتْ: أَنَا فَتَلْتُ تِلْكَ الْقَلاَئِدَ مِنْ عِهْنٍ كَانَ عِنْدَنَا.فَأَصْبَحَ فِينَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَلاَلاً، يَأْتِي مَا يَأْتِي الْحَلاَلُ مِنْ أَهْلِهِ، أَوْ يَأْتِي مَا يَأْتِي الرَّجُلُ مِنْ أَهْلِهِ.

[2807–365]. (Dar al-Salam 3039) Zuhayr ibn Ḥarb narrated:[iv] Jarīr narrated; from Manṣūr; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘I twined the bands for God’s Messenger’s sacrifice of sheep, and he would send it and stay with us, not in consecration’.**

وَحَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، قَالَتْ: لَقَدْ رَأَيْتُنِي أَفْتِلُ الْقَلاَئِدَ لِهَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنَ الْغَنَمِ، فَيَبْعَثُ بِهِ ثُمَّ يُقِيمُ فِينَا حَلاَلاً.

[2808–366]. (Dar al-Salam 3040) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[v] Abu Muʿāwiyah (Yaḥyā said: ‘reported’ and the other two said: ‘narrated’); from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘I**

might twine the bands for God’s Messenger’s sacrifice, and he would tie the bands and then send the sacrifice. He would stay avoiding nothing of what a person in consecration avoids’.

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ، (قَالَ يَحْيَى أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ قَالَتْ: رُبَّمَا فَتَلْتُ الْقَلاَئِدَ لِهَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَيُقَلِّدُ هَدْيَهُ ثُمَّ يَبْعَثُ بِهِ. ثُمَّ يُقِيمُ لاَ يَجْتَنِبُ شَيْئًا مِمَّا يَجْتَنِبُ الْـمُحْرِمُ.

[2809–367]. (Dar al-Salam 3041) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[vi] Yaḥyā said: Abu Muʿāwiyah reported; from al-Aʿmash; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘Once God’s Messenger (peace be upon him) sent a sacrifice of sheep and he tied bands on them’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ. قَالَ يَحْيَى أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ قَالَتْ: أَهْدَى رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَرَّةً إِلَى الْبَيْتِ غَنَمًا، فَقَلَّدَهَا.

[2810–368]. (Dar al-Salam 3042) Isḥāq ibn Manṣūr narrated:[vii] ʿAbd al-Ṣamad narrated; my father narrated to me; Muhammad ibn Juḥādah narrated to me; from al-Ḥakam; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘We used to tie bands on sheep**

and God’s Messenger remained in no consecration. Nothing is forbidden to him’.

وَحَدَّثَنَا إِسْحَاقُ بْنُ مَنْصُورٍ، حَدَّثَنَا عَبْدُ الصَّمَدِ، حَدَّثَنِي أَبِي، حَدَّثَنِي مُحَمَّدُ بْنُ جُحَادَةَ، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ قَالَتْ: كُنَّا نُقَلِّدُ الشَّاءَ فَنُرْسِلُ بِهَا، وَرَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ حَلاَلٌ، لَمْ يَحْرُمْ عَلَيْهِ مِنْهُ شَىْءٌ.

[2811–369]. (Dar al-Salam 3043) Yaḥyā ibn Yaḥyā narrated:[viii] he said: I read out to Mālik; from ʿAbdullāh ibn Abu Bakr; from ʿAmrah bint ʿAbd al-Raḥmān; that she reported to him; that Ibn Ziyād wrote to ʿĀ’ishah that ʿAbdullāh ibn ʿAbbās said: **‘Whoever sends a sacrifice everything that is forbidden to a pilgrim applies to him until the sacrifice is slaughtered. I have sent my sacrifice. Write to me your orders’.**

ʿAmrah said: ʿĀ’ishah said: ‘It is not like what Ibn ʿAbbās has said. I twined the bands of God’s Messenger’s sacrifice with my hands, then God’s Messenger (peace be upon him) tied the bands [on the camels] with his own hand and sent the sacrifice with my father. Nothing that God has permitted God’s Messenger was forbidden to him until the sacrifice was slaughtered’.

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي بَكْرٍ، عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ أَنَّهَا أَخْبَرَتْهُ، أَنَّ ابْنَ زِيَادٍ كَتَبَ إِلَى عَائِشَةَ، أَنَّ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ قَالَ: مَنْ أَهْدَى هَدْيًا حَرُمَ عَلَيْهِ مَا يَحْرُمُ عَلَى

الْحَاجِّ حَتّٰى يُنْحَرَ الْهَدْيُ، وَقَدْ بَعَثْتُ بِهَدْيِي، فَاكْتُبِي إِلَيَّ بِأَمْرِكِ.

قَالَتْ عَمْرَةُ: قَالَتْ عَائِشَةُ: لَيْسَ كَمَا قَالَ ابْنُ عَبَّاسٍ. أَنَا فَتَلْتُ قَلاَئِدَ هَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدَيَّ، ثُمَّ قَلَّدَهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدِهِ، ثُمَّ بَعَثَ بِهَا مَعَ أَبِي، فَلَمْ يَحْرُمْ عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ شَيْءٌ أَحَلَّهُ اللهُ لَهُ حَتَّى نُحِرَ الْهَدْيُ.

[2812–370]. (Dar al-Salam 3044-3045) Saʿīd ibn Manṣūr narrated:[ix] Hushaym narrated; Ismāʿīl ibn Abi Khālid reported; from al-Shaʿbī; from Masrūq. He said: **‘I heard ʿĀ’ishah clap and say from behind a screen: “I twined the bands of God’s Messenger’s sacrificial animals with my hands, and he would then send them. He would abstain from nothing a person in consecration abstains from, until his sacrifice was slaughtered”.’**

وَحَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، حَدَّثَنَا هُشَيْمٌ، أَخْبَرَنَا إِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ قَالَ: سَمِعْتُ عَائِشَةَ، وَهْيَ مِنْ وَرَاءِ الْحِجَابِ تُصَفِّقُ وَتَقُولُ: كُنْتُ أَفْتِلُ قَلاَئِدَ هَدْيِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِيَدَيَّ، ثُمَّ يَبْعَثُ بِهَا وَمَا يُمْسِكُ عَنْ شَيْءٍ مِمَّا يُمْسِكُ عَنْهُ الْـمُحْرِمُ حَتَّى يُنْحَرَ هَدْيُهُ.

Muhammad ibn al-Muthannā narrated: ʿAbd al-Wahhāb nar-rated; Dāwūd narrated [H]. Ibn Numayr narrated; my father narrated;

Zakariyyā’ narrated; both from al-Shaʿbī; from Masrūq; from ʿĀ’ishah: **the same text about the Prophet.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الْوَهَّابِ، حَدَّثَنَا دَاوُدُ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا زَكَرِيَّاءُ، كِلاَهُمَا عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ: بِمِثْلِهِ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

Text Explanation

In the first hadith, No. 2801 ʿĀ'ishah says: 'God's Messenger (peace be upon him) sent some sacrifice from Madinah, and I would twine the bands of his sacrifice. He would not refrain from anything a person in *iḥrām* refrains from'. The hadith shows that it is well recommended to send sacrificial animals to the Ḥaram where they are to be sacrificed. A person who is not going to Makkah may send his sacrifice with someone else.[x] An animal so sent is recommended to be marked and given a band, as mentioned in hadith No. 2804. We have already mentioned the difference of opinion regarding the marking of sacrificial animals. Our view, which is shared by the majority of scholars, is that marking sacrificial camels and cows is desirable, but not sheep which are only given a band that has been twined. The hadith also shows that a person who sends such a sacrificial gift is not considered to be in a state of consecration or *iḥrām*. Nothing that is forbidden to a person in *iḥrām* is forbidden to him. This is the view of all scholars, including our Shāfiʿī School, except for one report attributed to Ibn ʿAbbās, Ibn ʿUmar, ʿAṭā', Mujāhid and Saʿīd ibn Jubayr, and also reported by al-Khaṭṭābī to be shared by scholars relying on logical reasoning, i.e., *ijtihad*. They say that a person who sends a sacrifice to the Kaʿbah should refrain from what a person in *iḥrām* refrains from. The fact is that a person does not enter into a state of consecration unless one formulates the intention to do so. In light of the authentic hadiths mentioned in this chapter, we say that the correct view is that of the majority of scholars.

In the hadith No. 2804 ʿĀ'ishah says: 'I twined the bands of God's Messenger's sacrificial camels with my hands. He then drew some blood from them and tied the bands. He then sent [the camels] to the Kaʿbah, but he stayed in Madinah. Nothing that was permissible to him became forbidden'. According to this hadith, it is recommended to both mark sacrificial camels and cows and place bands on them so that they will be recognized. The hadith shows that if a person sends such sacrifice, he should mark them from his hometown. If he takes the sacrifice with him, he delays marking them until he starts consecration at the *mīqāt* or some other place.

In hadith No. 2806 ʿĀ'ishah says that she twined those bands using wool that they had. The Arabic word she uses for 'wool' is ʿ*ihn*, which is said to be dyed in different colours. ʿĀ'ishah also says in hadith No. 2809 that the Prophet sent sheep to be sacrificed at the Kaʿbah, and that he placed bands on them. This provides evidence in support of the view shared by our school and the majority of scholars that it is recommended to place bands to mark sacrificial sheep. Mālik and Abu Ḥanīfah, however, say that sheep need not have bands, and that bands are used only on sacrificial camels and cows. This hadith clearly states that sheep are given bands.

Transmission

The chain of transmission of the hadith No. 2811 includes: ‘ʿAbd al-Raḥmān reported that Ibn Ziyād wrote to ʿĀ’ishah that ʿAbdullāh ibn ʿAbbās said: “Whoever sends a sacrifice everything that is forbidden to a pilgrim applies to him until the sacrifice is slaughtered”.’ He added that he sent some of his sacrifice and requested her to write to him about what he should do. This is how the chain of transmission of this hadith is given, mentioning that the person who wrote to ʿĀ’ishah was ‘Ibn Ziyād’. All scholars who discussed Muslim’s *Ṣaḥīḥ*, including Al-Ḥusayn ibn Muhammad al-Ghassānī, Muhammad ibn ʿAlī al-Māzarī and *Qadi* ʿIyāḍ said that the mention of Ibn Ziyād is wrong because Ibn Ziyād was still young when ʿĀ’ishah passed away. The correct person who wrote to her on this point was his father Ziyād ibn Abi Sufyān, better known as Ziyād, son of his father. He is correctly mentioned in this connection in al-Bukhari’s *Ṣaḥīḥ*, Mālik’s *al-Muwaṭṭa’*, Abu Dāwūd’s *Sunan* and other reliable anthologies, but God knows best.

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i. Related by al-Bukhari, 1698; Abu Dāwūd, 1758; al-Nasā’ī, 2774; Ibn Mājah, 3094.

ii. Related by al-Bukhari, 1696, 1699; Abu Dāwūd, 1757; al-Nasā’ī, 2782, 2771; Ibn Mājah, 3098.

iii. Related by al-Bukhari in a shorter version, 1705; Abu Dāwūd, 1759; al-Nasā’ī, 2779.

iv Related by al-Bukhari, 1703; al-Tirmidhī in similar wording, 909; al-Nasā’ī, 2778, 2784, 2788, 2796.

v. Related by al-Bukhari in similar wording, 1702; al-Nasā’ī, 2777; Ibn Mājah, 3095.

vi. Related by al-Bukhari, 1701; Abu Dāwūd, 1755; al-Nasā’ī, 2785, 2786, 2787; Ibn Mājah, 3096.

vii. Related by al-Nasā’ī, 2789.

viii. Related by al-Bukhari in similar wording, 1700, 2317; al-Nasā'ī, 2792.

ix. Related by al-Bukhari, 1704; al-Nasā'ī, 2776.

x. Nowadays it is practically impossible to send live animals from one country to another because of restrictions on livestock and the health requirements that need to be observed. It may be possible for people in Saudi Arabia to do this when they travel by land. However, everyone may send money to buy the sacrifice in Makkah through the voucher system that has been in operation for many years now. One buys a voucher and assigns the organising body to do the slaughter and the distribution of the meat on one's behalf.

CHAPTER 65

RIDING SACRIFICIAL CAMELS

[2813–371]. (Dar al-Salam 3046) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Abu al-Zināد; from al-Aʿraj; from Abu Hurayrah; that **‘God’s Messenger (peace be upon him) saw a man leading a sacrificial she-camel. He said to him: “Ride her”. The man said: “Messenger of God, it is for sacrifice”. The Prophet said: “Ride her, Woe to you!” adding [the last part] to the second or third instance’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَأَى رَجُلاً يَسُوقُ بَدَنَةً، فَقَالَ: «ارْكَبْهَا». قَالَ: يَا رَسُولَ اللهِ إِنَّهَا بَدَنَةٌ. فَقَالَ: «ارْكَبْهَا وَيْلَكَ». فِي الثَّانِيَةِ أَوْ فِي الثَّالِثَةِ.

[2814–000]. (Dar al-Salam 3047) Yaḥyā ibn Yaḥyā narrated: al-Mughīrah ibn ʿAbd al-Raḥmān al-Ḥizāmī reported; from Abu al-Zināد; from al-Aʿraj; with the same chain of transmission: **the same text, but he said: ‘As a man was leading a sacrificial camel having bands…’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا الْمُغِيرَةُ بْنُ عَبْدِ الرَّحْمَنِ الْحِزَامِيُّ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، بِهَذَا الإِسْنَادِ

وَقَالَ: بَيْنَمَا رَجُلٌ يَسُوقُ بَدَنَةً مُقَلدَةً.

[2815–372]. (Dar al-Salam 3048) Muhammad ibn Rāfiʿ narrated: ʿAbd al-Razzāq narrated; Maʿmar narrated; from Hammām ibn Munabbih; he said: This is what Abu Hurayrah narrated to us from Muhammad, God's Messenger, (peace be upon him). He mentioned several hadiths including: **'As a man was leading a sacrificial camel having bands, God's Messenger (peace be upon him) said to him: "Woe to you! Ride her". He said: "It is for sacrifice, Messenger of God". He said: "Woe to you! Ride her. Woe to you! Ride her".'**

حَدَّثَنَا مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا عَبْدُ الرَّزَّاقِ، حَدَّثَنَا مَعْمَرٌ، عَنْ هَمَّامِ بْنِ مُنَبِّهٍ قَالَ: هَذَا مَا حَدَّثَنَا أَبُو هُرَيْرَةَ عَنْ مُحَمَّدٍ، رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَذَكَرَ أَحَادِيثَ مِنْهَا وَقَالَ: بَيْنَمَا رَجُلٌ يَسُوقُ بَدَنَةً مُقَلَّدَةً، قَالَ لَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «وَيْلَكَ ارْكَبْهَا». فَقَالَ: بَدَنَةٌ يَا رَسُولَ اللهِ. قَالَ: «وَيْلَكَ ارْكَبْهَا، وَيْلَكَ ارْكَبْهَا».

[2816–373]. (Dar al-Salam 3049) ʿAmr al-Nāqid and Surayj ibn Yūnus narrated to me:[ii] Hushaym narrated; Ḥumayd reported; from Thābit; from Anas; he said: And I think I heard it from Anas [H]. Yaḥyā ibn Yaḥyā narrated (his text); Hushaym reported; from Ḥumayd; from Thābit al-Bunānī; from Anas. He said: **'God's Messenger (peace be upon him) passed by a man leading a sacrificial camel. He said to him: "Ride her". The man said: "It is for sacrifice". The Prophet said: "Ride her", two or three times'.**

وَحَدَّثَنِي عَمْرٌو النَّاقِدُ، وَسُرَيْجُ بْنُ يُونُسَ، قَالا: حَدَّثَنَا هُشَيْمٌ، أَخْبَرَنَا حُمَيْدٌ، عَنْ ثَابِتٍ، عَنْ أَنَسٍ قَالَ: وَأَظُنُّنِي قَدْ سَمِعْتُهُ مِنْ أَنَسٍ ح. وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى (وَاللَّفْظُ لَهُ)، أَخْبَرَنَا هُشَيْمٌ، عَنْ حُمَيْدٍ، عَنْ ثَابِتٍ الْبُنَانِيِّ، عَنْ أَنَسٍ، قَالَ: مَرَّ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِرَجُلٍ يَسُوقُ بَدَنَةً، فَقَالَ: «ارْكَبْهَا». فَقَالَ: إِنَّهَا بَدَنَةٌ. قَالَ: «ارْكَبْهَا». مَرَّتَيْنِ أَوْ ثَلاثًا.

[2817–374]. (Dar al-Salam 3050) Abu Bakr ibn Abi Shaybah narrated: Wakīʿ narrated; from Misʿar; from Bukayr ibn al-Akhnas; from Anas. He said: **‘I heard him say: “A sacrificial or gift camel went by the Prophet (peace be upon him). He said [to her driver]: ‘Ride her’. He said: ‘It is for sacrifice, or a gift’. He said: ‘Even though’.”’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، عَنْ بُكَيْرِ بْنِ الأَخْنَسِ، عَنْ أَنَسٍ، قَالَ سَمِعْتُهُ يَقُولُ: مُرَّ عَلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِبَدَنَةٍ، أَوْ هَدِيَّةٍ، فَقَالَ: «ارْكَبْهَا». قَالَ: إِنَّهَا بَدَنَةٌ أَوْ هَدِيَّةٌ. فَقَالَ: «وَإِنْ».

[2818–000]. (Dar al-Salam 3051) Abu Kurayb narrated: Ibn Bishr narrated; from Misʿar; Bukayr ibn al-Akhnas narrated to me. He said: **‘I heard Anas say: “A sacrificial camel went by the Prophet (peace be upon him)….”’ He added the same text.**

وَحَدَّثَنَاهُ أَبُو كُرَيْبٍ، حَدَّثَنَا ابْنُ بِشْرٍ، عَنْ مِسْعَرٍ، حَدَّثَنِي بُكَيْرُ بْنُ الأَخْنَسِ قَالَ: سَمِعْتُ أَنَسًا يَقُولُ: مُرَّ عَلَى

النّبِيِّ صَلى اللهُ عَلَيْهِ وَسَلمَ بِبَدَنَةٍ. فَذَكَرَ مِثْلهُ.

[2819–375]. (Dar al-Salam 3052) Muhammad ibn Ḥātim nar-rated to me:[iii] Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; Abu al-Zubayr reported to me; he said: I heard Jābir ibn ʿAbdullāh as he was asked about riding sacrificial camels. He said: **‘I heard the Prophet (peace be upon him) say: “Ride her in a reasonable way, if you have to, until you find a mount”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ قَالَ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللهِ، سُئِلَ عَنْ رُكُوبِ الْهَدْيِ، فَقَالَ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «ارْكَبْهَا بِالْـمَعْرُوفِ إِذَا أُلْجِئْتَ إِلَيْهَا، حَتَّى تَجِدَ ظَهْرًا».

[2820–376]. (Dar al-Salam 3053) Salamah ibn Shabīb narrated to me: al-Ḥasan ibn Aʿyan narrated; Maʿqil narrated; from Abu al-Zubayr. He said: **‘I asked Jābir about riding sacrificial camels. He said: “I heard the Prophet (peace be upon him) say: ‘Ride her in a reasonable way until you find a mount’.”’**

وَحَدَّثَنِي سَلَمَةُ بْنُ شَبِيبٍ، حَدَّثَنَا الْحَسَنُ بْنُ أَعْيَنَ، حَدَّثَنَا مَعْقِلٌ، عَنْ أَبِي الزُّبَيْرِ قَالَ: سَأَلْتُ جَابِرًا عَنْ رُكُوبِ الْهَدْيِ، فَقَالَ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «ارْكَبْهَا بِالْـمَعْرُوفِ حَتَّى تَجِدَ ظَهْرًا»

Text Explanation

Hadith No. 2813 says: ‘God’s Messenger (peace be upon him) saw a man leading a sacrificial she-camel. He said to him: “Ride her”. The man said: “Messenger of God, it is for sacrifice”. The Prophet said: “Ride her, Woe to you!” adding [the last part] to the second or third instance’. And in the hadith No. 2815 the Prophet says the same thing twice to the man leading the sacrifice camel. In No. 2819 the Prophet says to his questioner: ‘Ride her in a reasonable way, if you have to, until you find a mount’. This is clear evidence that it is permissible to ride camels intended for sacrifice.

There are, however, different views on this point. Al-Shāfiʿī says that a person may ride if he needs to but should not ride it if there is no need. Moreover, riding it must be in a reasonable way, and without causing any harm. This is also the view of Ibn al-Mundhir and a number of scholars, and it is one of two views attributed to Mālik. ʿUrwah ibn al-Zubayr, Mālik in his other view, Ahmad and Isḥāq said that a person may ride the camel even if there is no pressing need but must cause her no harm. The same view is expressed by scholars of the Ẓāhirī School. Abu Ḥanīfah said that one must not ride it except when there is absolutely no alternative. *Qadi* ʿIyāḍ quotes some scholars expressing the view that one should ride such camels because of the Prophet’s order, to invalidate what the unbelievers used to do as they consecrated certain animals, letting them loose and prohibiting the riding of them. These types are mentioned in the following verse of the Qur’an: ‘It was not God who instituted [superstitions like those of] a slit-ear she-camel, or a she-camel let loose for free pasture, or idol sacrifices for twin-births in animals, or stallion-camels freed from work. It is unbelievers who attribute their own lying inventions to God. Most of them never use their reason’. (5: 103)

The evidence cited by the majority of scholars in support of their view is that the Prophet (peace be upon him) did not ride the camels he took for sacrifice. Nor did he order people to ride their sacrificial camels. We cite the hadith narrated by Jābir in support of our view against that of ʿUrwah and scholars who agree with him, but God knows best.

The Prophet says to the man leading his she-camel: ‘Woe to you! Ride her’. Originally, this expression is said to someone who is in real trouble, as he is exhausted by his troubles. It is also said casually, with no intention of using it in its literal sense. Arabs used to say it by way of emphasizing their speech. This is the same as one may say to another: ‘You, motherless one!’, ‘You, fatherless one’, ‘God fight him’, ‘How brave’, ‘barren and shaved’, etc. We discussed this in the Book of Cleansing.

Transmission

The chain of transmission of hadith No. 2816 includes: ‘Hushaym narrated; Ḥumayd reported; from Thābit; from Anas; he said: And I think I heard it from Anas’. The one who said: ‘I think I heard it from Anas’ is Ḥumayd.

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i. Related by al-Bukhari, 1689, 2755, 6160; Abu Dāwūd, 1760; al-Nasā’ī, 2798.

ii. Related by al-Nasā’ī, 2800.

iii. Related by Abu Dāwūd, 1761; al-Nasā’ī, 2801.

CHAPTER 66

WHEN SACRIFICIAL ANIMALS ARE UNABLE TO WALK

[2821–377]. (Dar al-Salam 3054) Yaḥyā ibn Yaḥyā narrated:[i] ʿAbd al-Wārith ibn Saʿīd reported; from Abu al-Tayyāḥ al-Ḍubaʿī; Mūsā ibn Salamah al-Hudhalī narrated to me. He said: **‘I travelled with Sinān ibn Salamah to offer the ʿUmrah. Sinān took with him a she-camel leading it for sacrifice, but she was exhausted along the way, and he was at a loss about what to do with her if she were no longer able to move on. He said: “When I reach the city, I shall ascertain what to do in this case”. The next morning, we were at al-Baṭḥā’, and he said: “Let us go to Ibn ʿAbbās and ask him”. He mentioned to him the case of his she-camel. Ibn ʿAbbās said: “You have come to the expert. God’s Messenger (peace be upon him) sent sixteen camels with a man and put him in charge of them. The man proceeded then came back and said: ‘Messenger of God, what do I do if any of them is exhausted and cannot move on?’ The Prophet said: ‘Slaughter her and dye her bands with her blood, then place them on the side of her hump. Neither you nor anyone of your company may eat of her meat’.”’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا عَبْدُ الْوَارِثِ بْنُ سَعِيدٍ، عَنْ أَبِي التَّيَّاحِ الضُّبَعِيِّ، حَدَّثَنِي مُوسَى بْنُ سَلَمَةَ الْهُذَلِيُّ،

قَالَ: انْطلقْتُ انَا وَسِنَانُ بْنُ سَلمَةَ، مُعْتَمِرَيْنِ. قَالَ: وَانْطَلَقَ سِنَانٌ مَعَهُ بِبَدَنَةٍ يَسُوقُهَا، فَأَزْحَفَتْ عَلَيْهِ بِالطَّرِيقِ، فَعَيِيَ بِشَأْنِهَا إِنْ هِيَ أَبْدِعَتْ كَيْفَ يَأْتِي بِهَا. فَقَالَ: لَئِنْ قَدِمْتُ الْبَلَدَ لأَسْتَحْفِيَنَّ عَنْ ذَلِكَ. قَالَ: فَأَضْحَيْتُ، فَلَمَّا نَزَلْنَا الْبَطْحَاءَ قَالَ: انْطَلِقْ إِلَى ابْنِ عَبَّاسٍ نَتَحَدَّثْ إِلَيْهِ. قَالَ فَذَكَرَ لَهُ شَأْنَ بَدَنَتِهِ. فَقَالَ: عَلَى الْخَبِيرِ سَقَطْتَ. بَعَثَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِسِتَّ عَشْرَةَ بَدَنَةً مَعَ رَجُلٍ، وَأَمَّرَهُ فِيهَا. قَالَ: فَمَضَى ثُمَّ رَجَعَ، فَقَالَ يَا رَسُولَ اللَّهِ كَيْفَ أَصْنَعُ بِمَا أُبْدِعَ عَلَيَّ مِنْهَا؟ قَالَ: «انْحَرْهَا، ثُمَّ اصْبُغْ نَعْلَيْهَا فِي دَمِهَا، ثُمَّ اجْعَلْهُ عَلَى صَفْحَتِهَا. وَلاَ تَأْكُلْ مِنْهَا أَنْتَ، وَلاَ أَحَدٌ مِنْ أَهْلِ رُفْقَتِكَ.

[2822–000]. (Dar al-Salam 3055) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and ʿAlī ibn Ḥujr narrated: Ismāʿīl ibn ʿUlayyah (Yaḥyā said: ‘reported’ and the other two said: ‘narrated’); from Abu al-Tayyāḥ; from Mūsā ibn Salamah; from Ibn ʿAbbās; that **‘God’s Messenger sent eighteen sacrificial camels with a man…’. He added the same as the text narrated by ʿAbd al-Wārith but did not mention the first part of the hadith.**

وَحَدَّثَنَاهُ يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَلِيُّ بْنُ حُجْرٍ. (قَالَ يَحْيَى أَخْبَرَنَا وَقَالَ الآخَرَانِ حَدَّثَنَا) إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ أَبِي التَّيَّاحِ، عَنْ مُوسَى بْنِ سَلَمَةَ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَعَثَ بِثَمَانَ عَشْرَةَ بَدَنَةً مَعَ رَجُلٍ. ثُمَّ ذَكَرَ بِمِثْلِ حَدِيثِ عَبْدِ الْوَارِثِ، وَلَمْ يَذْكُرْ أَوَّلَ الْحَدِيثِ.

[2823–378]. (Dar al-Salam 3056) Abu Ghassān al-Mismaʿī narrated to me:[ii] ʿAbd al-Aʿlā narrated; Saʿīd narrated; from Qatādah; from Sinān ibn Salamah; from Ibn ʿAbbās; that Dhu’ayb Abu Qabīṣah narrated to him; that **God’s Messenger (peace be upon him) sent sacrificial camels with him and said: ‘If any of them is completely exhausted and you fear she will die, slaughter her, then dip her bands in her blood and imprint it on her hump. Neither you nor anyone of your company may eat of her’.**

حَدَّثَنِي أَبُو غَسَّانَ الْـمِسْمَعِيُّ، حَدَّثَنَا عَبْدُ الأَعْلَى، حَدَّثَنَا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ سِنَانِ بْنِ سَلَمَةَ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ ذُؤَيْبًا أَبَا قَبِيصَةَ حَدَّثَهُ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ يَبْعَثُ مَعَهُ بِالْبُدْنِ، ثُمَّ يَقُولُ: «إِنْ عَطِبَ مِنْهَا شَيْءٌ فَخَشِيتَ عَلَيْهِ مَوْتًا، فَانْحَرْهَا ثُمَّ اغْمِسْ نَعْلَهَا فِي دَمِهَا، ثُمَّ اضْرِبْ بِهِ صَفْحَتَهَا. وَلاَ تَطْعَمْهَا أَنْتَ وَلاَ أَحَدٌ مِنْ أَهْلِ رُفْقَتِكَ».

Text Explanation

Hadith No. 2821 speaks of a situation where some animals (camels in particular) are consecrated for sacrifice in Makkah at the Kaʿbah, but along the way, they become too exhausted to complete the journey. This is what happened to Sinān ibn Salamah and he was at a loss as to what to do with the camel. He went to Ibn ʿAbbās and put the case to him. Ibn ʿAbbās told him that he was asking an expert. This confirms that it is permissible for a person to mention some of his own advantages, if needed. Ibn ʿAbbās said this to confirm to his questioner that he had the necessary knowledge to sort the problem out. He wanted his interlocutor to pay proper attention [perhaps realizing that he was agitated and needed reassurance].

Ibn ʿAbbās' answer cites the case when the Prophet sent some sacrificial camels to Makkah. The man taking them asked him: 'Messenger of God, what do I do if any of them is exhausted and cannot move on?' The Prophet said: 'Slaughter her and dye her bands with her blood, then place them on the side of her hump. Neither you nor anyone of your company may eat of her meat'. The hadith includes several important points, including the fact that if a sacrificial animal cannot continue the journey, it must be slaughtered on the way and all of its meat should be given to the poor. It is forbidden for the traveller taking it to Makkah and all his companions travelling with him to eat of this sacrifice, including those co-travellers who have had little contact with the animal's attendant. The reason for forbidding their eating of it is to prevent any situation where some people may exaggerate the weakness of an animal so as to precipitate its slaughter.

Scholars hold different views about eating the meat of a sacrificial animal if it is exhausted and slaughtered. Al-Shāfiʿī said that if it is a voluntary sacrifice, i.e., not a duty, then the owner may do whatever he wishes of selling, slaughtering, eating, giving to others, etc. He may also abandon it, and he would incur no offence if he did any of this because the animal is his own property. If the sacrificial animal is in fulfilment of a pledge commitment, it must be slaughtered. If it is kept alive and left until it dies naturally, the owner must replace it, just like he must replace something given to him for safekeeping, but he has neglected it and it is ruined. When such an animal is slaughtered, the bands which the owner had

tied on the animal should be dipped in its blood and used as a mark on its hump. The slaughtered animal should be left in place so that whoever passes by will know that it is a sacrifice and may eat of it. It is not permissible for the one who sent the sacrificial animal, its driver, the one who led it or anyone who is not poor to eat of it. The sacrifice is meant for poor people and, as such, it is not permissible to anyone who is not poor or needy. Even if the travelling company or the caravan includes some poor people, they may not eat of it. Only the poor who are not in the travelling company may eat of it.

What is meant by the ‘travelling company’? Our scholars give two meanings. The first is that it applies only to those who mix with the owner during the journey, such as during meals and when sharing food, but not the rest of the travelling caravan. The second view, which is more correct and is indicated by the apparent meaning of the hadith, is that it includes everyone in the caravan. This is indeed indicated by the apparent meaning of what al-Shāfiʿī said and what the majority of our scholars suggest. Moreover, the reason why the travelling company are not allowed to eat of it is to guard against any possibility of some of them trying to overly exhaust the camel and this applies to everyone in the caravan. It may be said that if the people travelling in the caravan are not allowed to eat of it and it is left on the road, it will be eaten by wild animals, which means that it is left to waste. The answer is that there is no wasting in this because it is customary for desert people and others to inspect the places where pilgrims stop, after they have departed, looking for any useful things left behind. Moreover, another travelling caravan may arrive soon after the first has gone, but God knows best.[iii]

In hadith No. 2821 the Prophet is said to have sent sixteen camels as sacrifice, and in the next hadith, the number is given as eighteen camels. These may have been on two different occasions. Alternatively, the hadiths may also be speaking of only one occasion. That sixteen is mentioned in the first one does not preclude that the total number was eighteen because this is a question of numbers and the smaller number does not mean that the higher number is wrong, but God knows best.

Transmission

The chain of transmission of hadith No. 2821 includes the narrator Abu al-Tayyāḥ al-Ḍubaʿī. His name is Yazīd ibn Ḥumayd and he belonged to the Ḍabīʿah ibn Qays tribe. Al-Samʿānī said that most of the people of this tribe settled in Basrah in south Iraq and one of the city districts is named after this tribe.

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i. Related by Abu Dāwūd, 1763.

ii. Related by Ibn Mājah, 3105.

iii. Needless to say, much of this does not apply these days, as practically no one travels to Makkah on foot and animals are transported to Makkah for the pilgrimage season.

CHAPTER 67

THE *ṬAWĀF* OF FAREWELL

[2824–379]. (Dar al-Salam 3057) Saʿīd ibn Manṣūr and Zuhayr ibn Ḥarb narrated:[i] Sufyān narrated; from Sulaymān al-Aḥwal; from Ṭāwūs; from Ibn ʿAbbās. He said: **‘People used to depart heading in every way, then God’s Messenger (peace be upon him) said: “No one should leave unless they make [a *ṭawāf* at] the House their last thing”.’**

Zuhayr said: **‘Heading every way’ without using ‘in’.**

حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَزُهَيْرُ بْنُ حَرْبٍ، قَالا: حَدَّثَنَا سُفْيَانُ، عَنْ سُلَيْمَانَ الأَحْوَلِ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: كَانَ النَّاسُ يَنْصَرِفُونَ فِي كُلِّ وَجْهٍ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لاَ يَنْفِرَنَّ أَحَدٌ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ».

قَالَ زُهَيْرٌ: يَنْصَرِفُونَ كُلَّ وَجْهٍ. وَلَمْ يَقُلْ «فِي».

[2825–380]. (Dar al-Salam 3058) Saʿīd ibn Manṣūr and Abu Bakr ibn Abi Shaybah narrated (Saʿīd’s text):[ii] both said: Sufyān narrated; from Ibn Ṭāwūs; from his father; from Ibn ʿAbbās. He said: **‘People were ordered to make [a *ṭawāf* at] the House the last thing they do, but women in menstruation are exempt’.**

حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، وَابُو بَكرِ بْنُ ابِي شَيْبَةَ (وَاللفْظ لِسَعِيدٍ)، قَالا: حَدَّثَنَا سُفْيَانُ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ، قَالَ أُمِرَ النَّاسُ أَنْ يَكُونَ آخِرُ عَهْدِهِمْ بِالْبَيْتِ، إِلاَّ أَنَّهُ خُفِّفَ عَنِ الْـمَرْأَةِ الْحَائِضِ.

[2826–381]. (Dar al-Salam 3059) Muhammad ibn Ḥātim nar-rated: Yaḥyā ibn Saʿīd narrated; from Ibn Jurayj; al-Ḥasan ibn Muslim reported to me; from Ṭāwūs. He said: **‘I was with Ibn ʿAbbās when Zayd ibn Thābit said: “Do you rule that a woman in menstruation may depart without making the *ṭawāf* at the House her last [action]?” Ibn ʿAbbās said to him: “If you disagree, ask this Anṣārī woman if God’s Messenger ordered her to do so”. Zayd ibn Thābit came back to Ibn ʿAbbās smiling and said: “You are certainly right”.’**

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، أَخْبَرَنِي الْحَسَنُ بْنُ مُسْلِمٍ، عَنْ طَاوُسٍ، قَالَ: كُنْتُ مَعَ ابْنِ عَبَّاسٍ إِذْ قَالَ زَيْدُ بْنُ ثَابِتٍ: تُفْتِي أَنْ تَصْدُرَ الْحَائِضُ، قَبْلَ أَنْ يَكُونَ آخِرُ عَهْدِهَا بِالْبَيْتِ؟ فَقَالَ لَهُ ابْنُ عَبَّاسٍ: إِمَّا لا، فَسَلْ فُلاَنَةَ الأَنْصَارِيَّةَ: هَلْ أَمَرَهَا بِذَلِكَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: فَرَجَعَ زَيْدُ بْنُ ثَابِتٍ إِلَى ابْنِ عَبَّاسٍ يَضْحَكُ وَهُوَ يَقُولُ: مَا أَرَاكَ إِلاَّ قَدْ صَدَقْتَ.

[2827–382]. (Dar al-Salam 3060) Qutaybah ibn Saʿīd narrated:[iii] Layth narrated [H]. Also, Muhammad ibn Rumḥ narrated; al-Layth narrated; from Ibn Shihāb; from Abu Salamah and ʿUrwah; that ʿĀ’ishah said: **‘Ṣafiyyah bint Ḥuyay started her period after she**

had performed the *ṭawāf al-ifāḍah*’. ʿĀ’ishah said: ‘I mentioned her period to God’s Messenger (peace be upon him) and he said: “Will she be detaining us?” I said: “Messenger of God, she had performed the *ṭawāf al-ifāḍah* and started her period after having done it”. God’s Messenger said: “Let her depart”.’

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا لَيْثٌ، ح. وَحَدَّثَنَا مُحَمَّدُ بْنُ رُمْحٍ، حَدَّثَنَا اللَّيْثُ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ وَعُرْوَةَ، أَنَّ عَائِشَةَ قَالَتْ: حَاضَتْ صَفِيَّةُ بِنْتُ حُيَىٍّ بَعْدَ مَا أَفَاضَتْ. قَالَتْ عَائِشَةُ: فَذَكَرْتُ حِيضَتَهَا لِرَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «أَحَابِسَتُنَا هِي»؟ قَالَتْ: فَقُلْتُ يَا رَسُولَ اللهِ إِنَّهَا قَدْ كَانَتْ أَفَاضَتْ، وَطَافَتْ ، ثُمَّ حَاضَتْ بَعْدَ الإِفَاضَةِ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «فَلْتَنْفِرْ».

[2828–383]. (Dar al-Salam 3061) Abu al-Ṭāhir, Ḥarmalah ibn Yaḥyā and Ahmad ibn ʿĪsā narrated to me: Ibn Wahb (Ahmad said: ‘narrated’ and the other two said: ‘reported’); Yūnus reported to me; from Ibn Shihāb; with the same chain of transmission. She said: **‘Ṣafiyyah bint Ḥuyay, the Prophet’s wife, started her period during the Farewell Pilgrimage, after she had performed the *ṭawāf al-ifāḍah* in cleanliness…’ the same as al-Layth’s narration.**

حَدَّثَنِي أَبُو الطَّاهِرِ، وَحَرْمَلَةُ بْنُ يَحْيَى، وَأَحْمَدُ بْنُ عِيسَى، (قَالَ أَحْمَدُ حَدَّثَنَا وَقَالَ الآخَرَانِ أَخْبَرَنَا) ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، بِهَذَا الإِسْنَادِ. قَالَتْ:، طَمِثَتْ صَفِيَّةُ بِنْتُ حُيَىٍّ زَوْجُ النَّبِيِّ صَلَّى اللهُ

عَلَيْهِ وَسَلمَ فِي حَجّةِ الوَدَاعِ، بَعْدَ مَا افَاضَتْ طاهِرًا... بِمِثْلِ حَدِيثِ اللَّيْثِ.

[2829–000]. (Dar al-Salam 3062) Qutaybah (meaning Ibn Saʿīd) narrated:[iv] Layth narrated [H]. Also, Zuhayr ibn Ḥarb narrated; Sufyān narrated [H]. And Muhammad ibn al-Muthannā narrated to me; ʿAbd al-Wahhāb narrated; Ayyūb narrated; all from ʿAbd al-Raḥmān ibn al-Qāsim; from his father; from ʿĀ'ishah; that **'She mentioned to God's Messenger (peace be upon him) that Ṣafiyyah had started her period…' the same meaning as al-Zuhrī's narration.**

وَحَدَّثَنَا قُتَيْبَةُ (يَعْنِي ابْنَ سَعِيدٍ)، حَدَّثَنَا لَيْثٌ، ح. وَحَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا سُفْيَانُ، ح. وَحَدَّثَنِي مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الْوَهَّابِ، حَدَّثَنَا أَيُّوبُ، كُلُّهُمْ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، أَنَّهَا ذَكَرَتْ لِرَسُولِ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ صَفِيَّةَ قَدْ حَاضَتْ. بِمَعْنَى حَدِيثِ الزُّهْرِيِّ.

[2830–384]. (Dar al-Salam 3063) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[v] Aflaḥ narrated; from al-Qāsim ibn Mu-hammad; from ʿĀ'ishah. She said: **'We were apprehensive that Ṣafiyyah might start her period before performing the *ṭawāf al-ifāḍah*. God's Messenger (peace be upon him) came to us and said: "Will Ṣafiyyah be detaining us?" We said: "She has done the *ṭawāf al-ifāḍah*". He said: "Then she will not".'**

وَحَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا افْلحُ، عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ، قَالَتْ: كُنَّا نَتَخَوَّفُ أَنْ تَحِيضَ صَفِيَّةُ قَبْلَ أَنْ تُفِيضَ. قَالَتْ: فَجَاءَنَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: «أَحَابِسَتُنَا صَفِيَّةُ»؟ قُلْنَا: قَدْ أَفَاضَتْ. قَالَ: «فَلاَ إِذًا».

[2831–385]. (Dar al-Salam 3064) Yaḥyā ibn Yaḥyā narrated:[vi] he said: I read out to Mālik; from ʿAbdullāh ibn Abu Bakr; from his father; from ʿAmrah bint ʿAbd al-Raḥmān; from ʿĀ’ishah; that she said to God’s Messenger (peace be upon him): **‘Messenger of God, Ṣafiyyah bint Ḥuyay has started her period’. The Prophet said: ‘She may be detaining us. Has she not done the *ṭawāf* at the House with you all?’ They said: ‘She did’. He said: ‘Then you may leave’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ عَبْدِ اللهِ بْنِ أَبِي بَكْرٍ، عَنْ أَبِيهِ، عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، عَنْ عَائِشَةَ، أَنَّهَا قَالَتْ لِرَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: يَا رَسُولَ اللهِ إِنَّ صَفِيَّةَ بِنْتَ حُيَيٍّ قَدْ حَاضَتْ. فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَعَلَّهَا تَحْبِسُنَا. أَلَمْ تَكُنْ قَدْ طَافَتْ مَعَكُنَّ بِالْبَيْتِ»؟ قَالُوا: بَلَى. قَالَ: «فَاخْرُجْنَ».

[2832–386]. (Dar al-Salam 3065) Al-Ḥakam ibn Mūsā narrated to me: Yaḥyā ibn Ḥamzah narrated; from al-Awzāʿī; (he might have said) from Yaḥyā ibn Abi Kathīr; from Muhammad ibn Ibrāhīm al-Taymī; from Abu Salamah; from ʿĀ’ishah; that **‘God’s Messenger wanted to have with Ṣafiyyah something of what a man might**

want with his wife. He was told: “She is menstruating, Messenger of God”. He asked: “Will she be detaining us?” He was told: “Messenger of God, she visited [the House] on the Day of Sacrifice”. He said: “Then she can depart with you”.’

حَدَّثَنِي الْحَكَمُ بْنُ مُوسَى، حَدَّثَنِي يَحْيَى بْنُ حَمْزَةَ، عَنِ الأَوْزَاعِيِّ، لَعَلَّهُ قَالَ: عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ التَّيْمِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ عَائِشَةَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَرَادَ مِنْ صَفِيَّةَ بَعْضَ مَا يُرِيدُ الرَّجُلُ مِنْ أَهْلِهِ. فَقَالُوا: إِنَّهَا حَائِضٌ يَا رَسُولَ اللهِ. قَالَ: «وَإِنَّهَا لَحَابِسَتُنَا»؟ فَقَالُوا: يَا رَسُولَ اللهِ إِنَّهَا قَدْ زَارَتْ يَوْمَ النَّحْرِ. قَالَ: «فَلْتَنْفِرْ مَعَكُمْ».

[2833–387]. (Dar al-Salam 3066) Muhammad ibn al-Muthannā and Ibn Bashshār narrated:[vii] both said: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated [H]. Also, ʿUbaydullāh ibn Muʿādh narrated (his text); my father narrated; Shuʿbah narrated; from al-Ḥakam; from Ibrāhīm; from al-Aswad; from ʿĀ’ishah. She said: **‘When the Prophet wanted to depart, Ṣafiyyah was standing at her tent’s entrance, looking downcast and sad. He said: “Barren and shaven! You are detaining us”. He then said to her: “Did you perform the *ṭawāf al-ifāḍah* on the Day of Sacrifice?” She said: “Yes”. He said: “Then you can depart”.’**

حَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، وَابْنُ بَشَّارٍ قَالا: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، ح. وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ مُعَاذٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا أَبِي، حَدَّثَنَا شُعْبَةُ، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ قَالَتْ: لَمَّا أَرَادَ النَّبِيُّ

صَلى اللهُ عَلَيْهِ وَسَلمَ انْ يَنْفِرَ إِذَا صَفِيّةٌ عَلى بَابِ خِبَائِهَا كَئِيبَةً حَزِينَةً. فَقَالَ: «عَقْرَى حَلْقَى! إِنَّكِ لَحَابِسَتُنَا». ثُمَّ قَالَ لَهَا: «أَكُنْتِ أَفَضْتِ يَوْمَ النَّحْرِ»؟ قَالَتْ نَعَمْ. قَالَ: «فَانْفِرِي».

[2834–000]. (Dar al-Salam 3067) Yaḥyā ibn Yaḥyā, Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[viii] from Abu Muʿāwiyah; from al-Aʿmash [H]. Also, Zuhayr ibn Ḥarb narrated; Jarīr narrated; from Manṣūr; all from Ibrāhīm; from al-Aswad; from ʿĀ’ishah; from the Prophet: **a similar text to al-Ḥakam’s narration but they do not mention ‘downcast and sad’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ، عَنْ أَبِي مُعَاوِيَةَ، عَنِ الأَعْمَشِ، ح. وَحَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، جَمِيعًا عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. نَحْوَ حَدِيثِ الْحَكَمِ، غَيْرَ أَنَّهُمَا لاَ يَذْكُرَانِ كَئِيبَةً حَزِينَةً.

Text Explanation

In hadith No. 2824 the Prophet issues the order: ‘No one should leave unless they make a *ṭawāf* at the House their last thing’. This gives evidence in support of scholars who say that the *ṭawāf* of farewell is a duty and that omitting it requires compensation in the shape of slaughtering a sheep. This is the correct view of our school, and it is endorsed by the majority of scholars, including al-Ḥasan al-Baṣrī, al-Ḥakam, Ḥammād, al-Thawrī, Abu Ḥanīfah, Ahmad, Isḥāq and Abu Thawr. On the other hand, Mālik, Dāwūd and Ibn al-Mundhir maintain that it is a sunnah, or recommended, and its omission requires no compensation. Two opinions are quoted to have been mentioned by Mujāhid which are along the same lines as the two mentioned views.

Hadith No. 2825 says: ‘People were ordered to make a *ṭawāf* at the House the last thing they do, but women in menstruation are exempt’. This is clear evidence that the *ṭawāf* of farewell is a duty for all except women in menstruation, that it is waived for such women, and they are exempt from any compensation. This is the view of al-Shāfiʿī, Mālik, Abu Ḥanīfah, Ahmad and all scholars, except for what Ibn al-Mundhir reported. He mentioned that ʿUmar, Ibn ʿUmar and Zayd ibn Thābit ordered women in menstruation to stay in Makkah until they could perform the *ṭawāf* of farewell. The evidence in support of the majority view is this hadith and hadith No. 2827 mentioning Ṣafiyyah’s case. This hadith and the others following it, mentioning the same case, provide evidence confirming that women in menstruation are exempt from the *ṭawāf* of farewell. They also serve as evidence confirming that the *ṭawāf al-ifāḍah* is an essential obligation which must be performed. No one can be exempt from it, neither a woman in menstruation nor anyone else. If a woman starts her period before performing it, she stays in Makkah until she finishes her period and then performs it. If she returns home before doing the *ṭawāf al-ifāḍah*, she remains in *iḥrām*. We discussed this hadith concerning Ṣafiyyah early in the Book of Hajj when explaining the different ways of starting the *iḥrām* for the hajj.

In hadith No. 2832 the Prophet asked his wives whether Ṣafiyyah might detain them in Makkah, and they answered that ‘she visited the House on

the Day of Sacrifice', thus confirming that she did the *ṭawāf al-ifāḍah* on that day. This confirms the view of al-Shāfiʿī, Abu Ḥanīfah and Iraqi scholars that it is perfectly acceptable to refer to the *ṭawāf al-ifāḍah* as the '*ṭawāf* of *ziyārah*' or 'the visit *ṭawāf*'. Mālik said that it is discouraged, i.e., *makrūh*, but there is no evidence to support that it is so discouraged.

Transmission

The chain of transmission of hadith No. 2832 includes: ‘From al-Awzāʿī; (he might have said) from Yaḥyā ibn Abi Kathīr’. This is how the chain of transmission is given in most copies, and *Qadi* ʿIyāḍ confirms that it appears so in most copies. He adds that it is dropped by al-Ṭabarī. According to Ibn al-Ḥadhdhā’, what is dropped are only the words, ‘he might have said’. *Qadi* ʿIyāḍ says: ‘I think that the whole name was dropped in the books of some narrators, or that a narrator might have had some doubts and he added it on the basis of the correct version he had memorized, pointing to this by saying: “He might have said”.’

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i. Related by Abu Dāwūd, 2002; Ibn Mājah, 3070.
ii. Related by al-Bukhari in similar wording, 329, 1755 and in similar wording, 1760.
iii. Related by al-Bukhari, 4401; Ibn Mājah, 3072.
iv. Related by al-Tirmidhī, 943.
v. Related by al-Bukhari, 1733.
vi. Related by al-Bukhari, 328; al-Nasā’ī, 389.
vii. Related by al-Bukhari, 5329, 6157.
viii. Related by al-Bukhari, 1771; Ibn Mājah, 3073.

CHAPTER 68

PRAYING INSIDE THE KAʿBAH

[2835–388]. (Dar al-Salam 3068) Yaḥyā ibn Yaḥyā al-Tamīmī narrated:[i] he said: I read out to Mālik; from Nāfiʿ; from Ibn ʿUmar; that **‘God’s Messenger (peace be upon him) entered the Kaʿbah with Usāmah, Bilāl and ʿUthmān ibn Ṭalḥah al-Ḥajabī, and he had it closed and stayed inside’. Ibn ʿUmar said: ‘When Bilāl came out I asked him: “What did God’s Messenger do?” He said: “He had two pillars to his left and one to his right, keeping three pillars behind him. Then the Kaʿbah was built on six pillars. He then prayed”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى التَّمِيمِيُّ، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ دَخَلَ الْكَعْبَةَ، هُوَ وَأُسَامَةُ وَبِلاَلٌ وَعُثْمَانُ بْنُ طَلْحَةَ الْحَجَبِيُّ، فَأَغْلَقَهَا عَلَيْهِ ثُمَّ مَكَثَ فِيهَا. قَالَ ابْنُ عُمَرَ: فَسَأَلْتُ بِلاَلاً حِينَ خَرَجَ مَا صَنَعَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: جَعَلَ عَمُودَيْنِ عَنْ يَسَارِهِ، وَعَمُودًا عَنْ يَمِينِهِ، وَثَلاَثَةَ أَعْمِدَةٍ وَرَاءَهُ - وَكَانَ الْبَيْتُ يَوْمَئِذٍ عَلَى سِتَّةِ أَعْمِدَةٍ - ثُمَّ صَلَّى.

[2836–389]. (Dar al-Salam 3069) Abu al-Rabīʿ al-Zahrānī, Qutaybah ibn Saʿīd and Abu Kāmil al-Jaḥdarī narrated: all from Ḥammād ibn Zayd; Abu Kāmil said: Ḥammād narrated; Ayyūb narrated; from Nāfiʿ; from Ibn ʿUmar. He said: **‘On the day when Makkah was taken over, God’s Messenger came over and stopped near the Kaʿbah. He sent for ʿUthmān ibn Ṭalḥah, and he brought the key and opened the door. Then the Prophet (peace be upon him) entered with Bilāl, Usāmah ibn Zayd and ʿUthmān ibn Ṭalḥah. He ordered the door to be closed. They stayed inside for a long while. Then the door was opened’. ʿAbdullāh said: ‘I moved ahead of people and met God’s Messenger (peace be upon him) as he came out, followed by Bilāl. I said to Bilāl: “Did God’s Messenger pray inside?” He said: “Yes”. I said: “Where?” He said: “In between the two pillars facing forward”.’ He added: ‘I forgot to ask him how many [*rakʿahs*] he prayed’.**

حَدَّثَنَا أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، وَقُتَيْبَةُ بْنُ سَعِيدٍ، وَأَبُو كَامِلٍ الْجَحْدَرِيُّ: كُلُّهُمْ عَنْ حَمَّادِ بْنِ زَيْدٍ. قَالَ أَبُو كَامِلٍ: حَدَّثَنَا حَمَّادٌ، حَدَّثَنَا أَيُّوبُ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: قَدِمَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَوْمَ الْفَتْحِ، فَنَزَلَ بِفِنَاءِ الْكَعْبَةِ. وَأَرْسَلَ إِلَى عُثْمَانَ بْنِ طَلْحَةَ، فَجَاءَ بِالْمِفْتَحِ فَفَتَحَ الْبَابَ. قَالَ: ثُمَّ دَخَلَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَبِلَالٌ وَأُسَامَةُ بْنُ زَيْدٍ وَعُثْمَانُ بْنُ طَلْحَةَ، وَأَمَرَ بِالْبَابِ فَأُغْلِقَ. فَلَبِثُوا فِيهِ مَلِيًّا ثُمَّ فَتَحَ الْبَابَ. فَقَالَ عَبْدُ اللهِ: فَبَادَرْتُ النَّاسَ، فَتَلَقَّيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ خَارِجًا، وَبِلَالٌ عَلَى إِثْرِهِ. فَقُلْتُ لِبِلَالٍ: هَلْ صَلَّى فِيهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ نَعَمْ. قُلْتُ

إِيْنَ؟ قَالَ: بَيْنَ العَمُودَيْنِ تِلقَاءَ وَجْهِهِ. قَالَ: وَنَسِيتُ انْ أَسْأَلَهُ كَمْ صَلَّى.

[2837–390]. (Dar al-Salam 3070) Ibn Abi ʿUmar narrated: Sufyān narrated; from Ayyūb al-Sakhtiyānī; from Nāfiʿ; from Ibn ʿUmar. He said: **‘In the year when Makkah was taken over, God’s Messenger (peace be upon him) came over riding Usāmah ibn Zayd’s she-camel until he dismounted close to the Kaʿbah. He then called ʿUthmān ibn Ṭalḥah and said: “Bring me the key”. He went to his mother, but she refused to give him [the key]. He said: “By God, you shall give it, or this sword shall go through my side”. She gave it to him. He brought it to the Prophet and gave it to him. He opened the door’. He then added the same as the narration by Ḥammād ibn Zayd.**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا سُفْيَانُ، عَنْ أَيُّوبَ السَّخْتِيَانِيِّ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: أَقْبَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ الْفَتْحِ عَلَى نَاقَةٍ لأُسَامَةَ بْنِ زَيْدٍ، حَتَّى أَنَاخَ بِفِنَاءِ الْكَعْبَةِ. ثُمَّ دَعَا عُثْمَانَ بْنَ طَلْحَةَ فَقَالَ: «ائْتِنِي بِالْـمِفْتَاحِ». فَذَهَبَ إِلَى أُمِّهِ فَأَبَتْ أَنْ تُعْطِيَهُ. فَقَالَ: وَاللهِ لَتُعْطِينِيهِ أَوْ لَيَخْرُجَنَّ هَذَا السَّيْفُ مِنْ صُلْبِي. قَالَ: فَأَعْطَتْهُ إِيَّاهُ. فَجَاءَ بِهِ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَدَفَعَهُ إِلَيْهِ، فَفَتَحَ الْبَابَ. ثُمَّ ذَكَرَ بِمِثْلِ حَدِيثِ حَمَّادِ بْنِ زَيْدٍ.

[2838–391]. (Dar al-Salam 3071) Zuhayr ibn Ḥarb narrated to me: Yaḥyā (meaning al-Qaṭṭān) narrated [H]. Also, Abu Bakr ibn Abi Shaybah narrated; Abu Usāmah narrated [H]. And Ibn Numayr

narrated (his text); ʿAbdah narrated; from ʿUbaydullāh; from Nāfiʿ; from Ibn ʿUmar. He said: **‘God’s Messenger (peace be upon him) entered the Kaʿbah with Usāmah, Bilāl and ʿUthmān ibn Ṭalḥah, and they closed the door behind them for a long while, then it was opened. I was the first to enter and I met Bilāl. I asked: “Where did God’s Messenger pray?” He said: “In between the two front pillars”. I forgot to ask him how many [*rakʿahs*] God’s Messenger prayed’.**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ) ح. وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي، شَيْبَةَ حَدَّثَنَا أَبُو أُسَامَةَ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا عَبْدَةُ، عَنْ عُبَيْدِ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: دَخَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْبَيْتَ وَمَعَهُ أُسَامَةُ وَبِلاَلٌ وَعُثْمَانُ بْنُ طَلْحَةَ، فَأَجَافُوا عَلَيْهِمُ الْبَابَ طَوِيلاً، ثُمَّ فُتِحَ. فَكُنْتُ أَوَّلَ مَنْ دَخَلَ، فَلَقِيتُ بِلاَلاً فَقُلْتُ: أَيْنَ صَلَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ فَقَالَ بَيْنَ الْعَمُودَيْنِ الْـمُقَدَّمَيْنِ. فَنَسِيتُ أَنْ أَسْأَلَهُ كَمْ صَلَّى رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟

[2839–392]. (Dar al-Salam 3072) Ḥumayd ibn Masʿadah nar-rated to me: Khālid (meaning Ibn al-Ḥārith) narrated; ʿAbdullāh ibn ʿAwn narrated; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that he came up to the Kaʿbah **‘when the Prophet had entered it with Bilāl and Usāmah. ʿUthmān ibn Ṭalḥah closed the door behind them. They stayed a long while before the door was opened, and the Prophet came out. I went up the step and entered the Kaʿbah. I said: “Where did the Prophet pray?” They said: “Here”. I forgot to ask them how many [*rakʿahs*] he prayed’.**

وَحَدَّثَنِي حُمَيْدُ بْنُ مَسْعَدَةَ، حَدَّثَنَا خَالِدٌ (يَعْنِي ابْنَ الْحَارِثِ)، حَدَّثَنَا عَبْدُ اللهِ بْنُ عَوْنٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، أَنَّهُ انْتَهَى إِلَى الْكَعْبَةِ، وَقَدْ دَخَلَهَا النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَبِلاَلٌ وَأُسَامَةُ وَأَجَافَ عَلَيْهِمْ عُثْمَانُ بْنُ طَلْحَةَ الْبَابَ. قَالَ: فَمَكَثُوا فِيهِ مَلِيًّا، ثُمَّ فُتِحَ الْبَابُ، فَخَرَجَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. وَرَقِيتُ الدَّرَجَةَ فَدَخَلْتُ الْبَيْتَ، فَقُلْتُ: أَيْنَ صَلَّى النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالُوا هَاهُنَا. قَالَ: وَنَسِيتُ أَنْ أَسْأَلَهُمْ كَمْ صَلَّى.

[2840–393]. (Dar al-Salam 3073) Qutaybah ibn Saʿīd narrated:[ii] Layth narrated [H]. Also, Ibn Rumḥ narrated; al-Layth reported; from Ibn Shihāb; from Sālim; from his father; that he said: **‘God’s Messenger (peace be upon him) entered the Kaʿbah with Usāmah ibn Zayd, Bilāl and ʿUthmān ibn Ṭalḥah. They closed the door behind them. When they opened, I was among the first to enter. I saw Bilāl and asked him: “Did God’s Messenger pray inside?” He said: “Yes, between the two Yemenī pillars”.’**

وَحَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا لَيْثٌ، ح. وَحَدَّثَنَا ابْنُ رُمْحٍ، أَخْبَرَنَا اللَّيْثُ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، أَنَّهُ قَالَ: دَخَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْبَيْتَ، هُوَ وَأُسَامَةُ بْنُ زَيْدٍ وَبِلاَلٌ وَعُثْمَانُ بْنُ طَلْحَةَ، فَأَغْلَقُوا عَلَيْهِمْ. فَلَمَّا فَتَحُوا كُنْتُ فِي أَوَّلِ مَنْ وَلَجَ، فَلَقِيتُ بِلاَلاً، فَسَأَلْتُهُ: هَلْ صَلَّى فِيهِ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: نَعَمْ صَلَّى بَيْنَ الْعَمُودَيْنِ الْيَمَانِيَيْنِ.

[2841–394]. (Dar al-Salam 3074) Ḥarmalah ibn Yaḥyā narrated to me: Ibn Wahb reported; Yūnus reported to me; from Ibn Shihāb; Sālim ibn ʿAbdullāh reported to me; from his father. He said: **‘I saw God’s Messenger (peace be upon him) enter the Kaʿbah and with him were Usāmah ibn Zayd, Bilāl and ʿUthmān ibn Ṭalḥah. No one else entered with them. Then it was closed, and they were inside’. ʿAbdullāh ibn ʿUmar said: ‘Bilāl or ʿUthmān ibn Ṭalḥah told me that God’s Messenger (peace be upon him) prayed inside the Kaʿbah between the two Yemenī pillars’.**

وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللهِ، عَنْ أَبِيهِ، قَالَ: رَأَيْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ دَخَلَ الْكَعْبَةَ، هُوَ وَأُسَامَةُ بْنُ زَيْدٍ وَبِلاَلٌ وَعُثْمَانُ بْنُ طَلْحَةَ. وَلَمْ يَدْخُلْهَا مَعَهُمْ أَحَدٌ، ثُمَّ أُغْلِقَتْ عَلَيْهِمْ. قَالَ عَبْدُ اللهِ بْنُ عُمَرَ: فَأَخْبَرَنِي بِلاَلٌ أَوْ عُثْمَانُ بْنُ طَلْحَةَ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ صَلَّى فِي جَوْفِ الْكَعْبَةِ، بَيْنَ الْعَمُودَيْنِ الْيَمَانِيَيْنِ.

[2842–395]. (Dar al-Salam 3075) Isḥāq ibn Ibrāhīm and ʿAbd ibn Ḥumayd narrated:[iii] both from Ibn Bakr; ʿAbd said: Muhammad ibn Bakr reported; Ibn Jurayj reported. He said: **‘I said to ʿAṭā’: “Did you hear Ibn ʿAbbās say: ‘you have been commanded to do the *ṭawāf* but you were not commanded to enter it?’” He said: “He did not advise against entering it, but I heard him say: ‘Usāmah ibn Zayd told me that when the Prophet (peace be upon him) entered the House, he supplicated everywhere inside but did not pray there until he came out. When he came out, he prayed two *rakʿahs* facing it and said: “This is the *qiblah*”.’” I**

said to him: “What are its limits? Are they its corners?” He said: “No, it is every part of the House”.’

حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، وَعَبْدُ بْنُ حُمَيْدٍ، جَمِيعًا عَنِ ابْنِ بَكْرٍ. قَالَ عَبْدٌ أَخْبَرَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، قَالَ: قُلْتُ لِعَطَاءٍ: أَسَمِعْتَ ابْنَ عَبَّاسٍ يَقُولُ: إِنَّمَا أُمِرْتُمْ بِالطَّوَافِ وَلَمْ تُؤْمَرُوا بِدُخُولِهِ. قَالَ: لَمْ يَكُنْ يَنْهَى عَنْ دُخُولِهِ، وَلَكِنِّي سَمِعْتُهُ يَقُولُ: أَخْبَرَنِي أُسَامَةُ بْنُ زَيْدٍ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لَمَّا دَخَلَ الْبَيْتَ دَعَا فِي نَوَاحِيهِ كُلِّهَا، وَلَمْ يُصَلِّ فِيهِ حَتَّى خَرَجَ. فَلَمَّا خَرَجَ رَكَعَ فِي قُبُلِ الْبَيْتِ رَكْعَتَيْنِ. وَقَالَ: «هَذِهِ الْقِبْلَةُ». قُلْتُ لَهُ: مَا نَوَاحِيهَا، أَفِي زَوَايَاهَا؟ قَالَ: بَلْ فِي كُلِّ قِبْلَةٍ مِنَ الْبَيْتِ.

[2843–396]. (Dar al-Salam 3076) Shaybān ibn Farrūkh narrated: Hammām narrated; ʿAṭā’ narrated; from Ibn ʿAbbās; that **‘The Prophet entered the Kaʿbah and it had six pillars. He stood by one pillar and supplicated but did not pray’.**

حَدَّثَنَا شَيْبَانُ بْنُ فَرُّوخَ، حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا عَطَاءٌ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ دَخَلَ الْكَعْبَةَ، وَفِيهَا سِتُّ سَوَارٍ، فَقَامَ عِنْدَ سَارِيَةٍ فَدَعَا وَلَمْ يُصَلِّ.

[2844–397]. (Dar al-Salam 3077) Surayj ibn Yūnus narrated to me:[iv] Hushaym narrated; Ismāʿīl ibn Abi Khālid reported. He said: **‘I said to ʿAbdullāh ibn Abi Awfā, God’s Messenger’s companion: “Did the Prophet (peace be upon him) enter the House during his ʿumrah?” He said: “No”.’**

وَحَدّثَنِي سُرَيْجُ بْنُ يُونُسَ، حَدّثَنِي هُشَيْمٌ، اخْبَرَنَا إِسْمَاعِيلُ بْنُ أَبِي خَالِدٍ، قَالَ: قُلْتُ لِعَبْدِ اللهِ بْنِ أَبِي أَوْفَى، صَاحِبِ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَدَخَلَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْبَيْتَ فِي عُمْرَتِهِ؟ قَالَ: لا.

Text Explanation

In this chapter, Muslim enters several hadiths with their chains of transmission going to Bilāl, mentioning that ‘the Prophet entered the Kaʿbah and prayed inside it between the two pillars’. Muslim also enters a hadith with an authentic chain of transmission quoting Usāmah that ‘the Prophet supplicated everywhere but did not pray’. All scholars agree on giving preference to Bilāl’s report because he is reliable and has extra knowledge. Hence, he must be given priority. The prayer referred to in these hadiths is the normal prayer that includes bowing and prostration. It is to such prayer that Ibn ʿUmar refers when he says: ‘I forgot to ask him how many [*rakʿahs*] he prayed’. The reason why Usāmah said that he did not pray is that when they entered the Kaʿbah and closed the door, they were busy in their supplication. Usāmah saw the Prophet supplicating and he was preoccupied with his own supplication as he stood aside, with the Prophet some distance from him, while Bilāl was close to the Prophet. When the Prophet prayed, Bilāl saw him as he was standing near, while Usāmah could not see him because he was busy and at some distance from him. It was a short prayer and the door was closed, which prevented Usāmah from seeing the Prophet praying. Hence, when Usāmah was asked whether the Prophet prayed inside the Kaʿbah, his negative answer was based on what he thought, while Bilāl was more certain and he confirmed it, but God knows best.

Scholars hold different views concerning prayer inside the Kaʿbah, as to whether a person faces one of its walls or faces its closed door. Al-Shāfiʿī, al-Thawrī, Abu Ḥanīfah, Ahmad and the majority of scholars say that obligatory and sunnah prayers are valid inside it. Mālik said that only a general sunnah prayer is valid inside it but not the five obligatory prayers, the Witr or the sunnah after *ṭawāf* or before Fajr. Muhammad ibn Jarīr, Asbagh of the Mālikī School and some Ẓāhirī scholars said that neither obligatory nor sunnah prayers are valid inside the Kaʿbah. *Qadi* ʿIyāḍ mentions that Ibn ʿAbbās also shared this view. The evidence in support of the majority view of scholars is the hadith quoting Bilāl. If sunnah prayer is valid, then obligatory prayer is also valid because we are required to face the *qiblah* in both, in the same way when we are standing. The only

difference in which way to face is when moving during travel, but God knows best.

Hadith No. 2835 mentions that ʿUthmān ibn Ṭalḥah al-Ḥajabī was with the Prophet when he entered the Kaʿbah. He is called al-Ḥajabī as he was in charge of the *ḥijābah* of the Kaʿbah, which means taking charge of it, opening and closing it as well as serving it. He and his relatives are called al-Ḥajabiyyūn, which is the plural form of al-Ḥajabī. His name is ʿUthmān ibn Ṭalḥah ibn Abu Ṭalḥah, while Abu Ṭalḥah's name is ʿAbdullāh ibn ʿAbd al-ʿUzzā ibn ʿUthmān ibn ʿAbd al-Dār ibn Quṣayy of the ʿAbd al-Dār branch of the Quraysh. ʿUthmān ibn Ṭalḥah embraced Islam together with Khālid ibn al-Walīd and ʿAmr ibn al-ʿĀṣ during the peace period after the signing of al-Ḥudaybiyah's peace agreement. He took part in the takeover of Makkah. The Prophet gave the key of the Kaʿbah to him and to Abu Shaybah ibn Ṭalḥah and said: 'Take it, Banī Ṭalḥah. It is yours forever. None will take it from you except one who is an oppressor'. He lived in Madinah until the Prophet passed away, then moved back to Makkah and lived there until his death in year 42 AH. On the other hand, a report suggests that he was a martyr in the Battle of Ajnādīn, which took place close to Jerusalem in the early years of ʿUmar ibn al-Khaṭṭāb's reign.[v] An authentic hadith quotes the Prophet: 'Every act of honour that was practised in the days of ignorance [i.e., prior to Islam] is under my foot, except the provision of drinking water to pilgrims and the service of the House'. *Qadi* ʿIyāḍ said: 'According to all scholars it is not permissible for anyone to take these assignments away from them. It is a task given to them by God's Messenger and, therefore, it continues to belong to them and their offspring forever. It may not be taken away, in full or part, from them as long as they continue in existence and are able to undertake the honour, but God knows best'.

In the same hadith, No. 2835 the Prophet entered the Kaʿbah 'and had it closed'. He had it closed so that he would be able to concentrate better and be more focused. He did not want people to enter behind him making it very crowded, as this might lead to some injuries and there would be disturbance, but God knows best. This hadith says that the Prophet placed 'two pillars to his left and one to his right'. This is how it is here, while in al-Bukhari, 'two pillars to his right and one to his left', and the same occurs

in Mālik's *al-Muwaṭṭa* and Abu Dāwūd's *Sunan*, and all of these are narrated by Mālik. Another report in al-Bukhari says: 'one pillar to his right and one to his left'.

In hadith No. 2836 'On the day when Makkah was taken over, God's Messenger came over and stopped near the Kaʿbah'. This confirms that the event mentioned in the hadiths entered in this chapter and the Prophet's entry and prayer inside the Kaʿbah took place when Makkah was taken over, not during the Farewell Pilgrimage. This is agreed upon.

In the hadiths entered in the two *Ṣaḥīḥ* anthologies, Ibn ʿUmar says that he forgot to ask Bilāl how many *rakʿahs* the Prophet prayed inside the Kaʿbah. A hadith entered by Abu Dāwūd in his *Sunan*, with a questionable chain of transmission, quotes ʿAbd al-Raḥmān ibn Ṣafwān: 'I said to ʿUmar ibn al-Khaṭṭāb: "What did God's Messenger do when he entered the Kaʿbah?: He said: "He prayed two *rakʿahs*".'

Transmission

Hadith No. 2839 says: ‘Ḥumayd ibn Masʿadah narrated to me: Khālid (meaning Ibn al-Ḥārith) narrated; ʿAbdullāh ibn ʿAwn nar-rated; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that he came up to the Kaʿbah “when the Prophet had entered it with Bilāl and Usāmah. ʿUthmān ibn Ṭalḥah closed the door behind them. They stayed a long while then the door was opened, and the Prophet came out. I went up the step and entered the Kaʿbah. I said: ‘Where did the Prophet pray?’ They said: ‘Here’. I forgot to ask them how many [*rakʿahs*] he prayed”.’ This suggests that Ibn ʿUmar asked Bilāl, Usāmah and ʿUthmān together. *Qadi* ʿIyāḍ said that scholars of Hadith question this report. Al-Dāraquṭnī said that Ibn ʿAwn is mistaken here, and other scholars differ with him, stating that only Bilāl gave the information. *Qadi* ʿIyāḍ added: ‘This is what Muslim mentions in the other versions, saying: “I asked Bilāl”. However, in hadith No. 2841: “Bilāl or ʿUthmān ibn Ṭalḥah told me that God’s Messenger prayed inside the Kaʿbah”. This is how it occurs according to most of our teachers, but in some copies, it says: “Bilāl and ʿUthmān ibn Abi Ṭalḥah”. This supports Ibn ʿAwn’s version, but what is better known is that only Bilāl mentioned this, but God knows best’.

In hadith No. 2842 when the Prophet came out, he prayed two *rakʿahs* facing the Kaʿbah. This means that he offered this prayer with his face towards the Kaʿbah and close to its door. This statement is a basis for the view of al-Shāfiʿī and the majority of scholars that voluntary prayer offered during the day should be two *rakʿahs* at a time. Abu Ḥanīfah says four *rakʿahs* at a time. We discussed this point earlier in the Book of Prayer.

In the same hadith, the Prophet says: ‘This is the *qiblah*’. Abu Sulaymān Ḥamad ibn Muhammad al-Khaṭṭābī said: ‘This means that the question of the *qiblah* is finally settled that this House, the Kaʿbah, shall be faced in prayer, and it will never be changed again. You shall always face it when you pray. It is also possible that he taught them where the imam should stand, and that he should stand facing it, not its corners, even though prayer towards any part of it is valid’. The Prophet’s words admit a third meaning: this Kaʿbah is the Sacred Mosque which you have been commanded to face in prayer. It is not the entire Ḥaram, nor Makkah, nor the total mosque around the Kaʿbah. It is the Kaʿbah itself, but God knows best.

In hadith No. 2844 ʿAbdullāh ibn Abi Awfā, a companion of the Prophet, is asked whether the Prophet went inside the Kaʿbah during his ʿumrah, and he answered in the negative. This is agreed upon. Scholars said that the question is about the compensatory ʿumrah which the Prophet and his Companions performed in Year 7 AH before the takeover of Makkah. They add that the reason that he did not enter was that the Kaʿbah was full of statues and images. The idolaters would not have allowed him to change all this. Therefore, when God gave him victory and Makkah came under his authority, he removed all these statues and images before going inside the Kaʿbah and praying there. But, God knows best.

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i. Related by al-Bukhari with the same or similar meaning and in certain cases a longer version, 397, 468, 504, 505, 506, 1167, 1598, 1599, 2988, 4289, 4400; Abu Dāwūd, 2023, 2024, 2025; al-Nasā'ī, 691 and in a longer version, 748 and also 2905, 2906, 2907, 2908; Ibn Mājah, 3063.

ii. Related by al-Bukhari, 1598.

iii. Related by al-Nasā'ī, 2917.

iv. Related by al-Bukhari, 1600, 1791, 4188, 4255; Abu Dāwūd, 1902.

v. This report would make his death more than 25 years earlier.

CHAPTER 69

REBUILDING THE KAʿBAH

[2845–398]. (Dar al-Salam 3078-3079) Yaḥyā ibn Yaḥyā narrated:[i] Abu Muʿāwiyah reported; from Hishām ibn ʿUrwah; from his father; from ʿĀ’ishah. She said: **‘God’s Messenger (peace be upon him) said to me: “Were it not that your people were only recently unbelievers, I would have rebuilt the Kaʿbah and erected it on Abraham’s foundations. When the Quraysh rebuilt it, they left it short. I would have given it a back door”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، قَالَتْ: قَالَ لِي رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَوْلاَ حَدَاثَةُ عَهْدِ قَوْمِكِ بِالْكُفْرِ، لَنَقَضْتُ الْكَعْبَةَ، وَلَجَعَلْتُهَا عَلَى أَسَاسِ إِبْرَاهِيمَ. فَإِنَّ قُرَيْشًا حِينَ بَنَتِ الْبَيْتَ اسْتَقْصَرَتْ. وَلَجَعَلْتُ لَهَا خَلْفًا».

Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated: both said: Ibn Numayr narrated; from Hishām; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ قَالا: حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ هِشَامٍ، بِهَذَا الإِسْنَادِ.

[2846–399]. (Dar al-Salam 3080) Yaḥyā ibn Yaḥyā narrated:[ii] he said: I read out to Mālik; from Ibn Shihāb; from Sālim ibn ʿAbdullāh; that ʿAbdullāh ibn Muhammad ibn Abi Bakr al-Ṣiddīq told ʿAbdullāh ibn ʿUmar; from ʿĀ'ishah, the Prophet's wife, that **'God's Messenger (peace be upon him) said: "Do you not realize that when your people rebuilt the Kaʿbah, they made it less than Abraham's foundations?" I said: "Messenger of God, will you not rebuild it on Abraham's foundations?" God's Messenger (peace be upon him) said: "Were it not that your people were recently unbelievers I would have done that".'**

ʿAbdullāh ibn ʿUmar said: 'Since ʿĀ'ishah heard this from God's Messenger (peace be upon him), I think that God's Messenger did not touch the two corners next to the [Black] Stone only because the House was not completed on Abraham's foundations'.

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ، أَنَّ عَبْدَ اللهِ بْنَ مُحَمَّدِ بْنِ أَبِي بَكْرٍ الصِّدِّيقِ، أَخْبَرَ عَبْدَ اللهِ بْنَ عُمَرَ، عَنْ عَائِشَةَ، زَوْجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «أَلَمْ تَرَيْ أَنَّ قَوْمَكِ حِينَ بَنَوُا الْكَعْبَةَ اقْتَصَرُوا عَنْ قَوَاعِدِ إِبْرَاهِيمَ»؟ قَالَتْ: فَقُلْتُ يَا رَسُولَ اللهِ، أَفَلاَ تَرُدُّهَا عَلَى قَوَاعِدِ إِبْرَاهِيمَ؟ فَقَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَوْلاَ حِدْثَانُ قَوْمِكِ بِالْكُفْرِ لَفَعَلْتُ».

فَقَالَ عَبْدُ اللهِ بْنُ عُمَرَ: لَئِنْ كَانَتْ عَائِشَةُ سَمِعَتْ هَذَا مِنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، مَا أَرَى رَسُولَ

اللهِ صَلى اللهُ عَلَيْهِ وَسَلمَ تَرَكَ اسْتِلاَمَ الرَّكنَيْنِ اللذَيْنِ يَلِيَانِ الْحِجْرَ، إِلاَّ أَنَّ الْبَيْتَ لَمْ يُتَمَّمْ عَلَى قَوَاعِدِ إِبْرَاهِيمَ.

[2847–400]. (Dar al-Salam 3081) Abu al-Ṭāhir narrated: ʿAbdullāh ibn Wahb reported; from Makhramah [H]. Also, Ḥārūn ibn Saʿīd al-Aylī narrated to me; Ibn Wahb reported; Makhramah ibn Bukayr reported to me; from his father; he said: I heard Nāfiʿ, Ibn ʿUmar's *mawlā*, say: I heard ʿAbdullāh ibn Abi Bakr ibn Abi Quḥāfah narrating from ʿAbdullāh ibn ʿUmar; from ʿĀ'ishah the Prophet's wife; that she said: **'I heard God's Messenger (peace be upon him) say: "Were it not that your people were only recently in *jāhiliyyah* (or he said 'unbelievers'), I would have spent the treasure of the Kaʿbah for God's cause. I would have made its door level with the ground, and I would have incorporated part of the Ḥijr[iii] in it".'**

حَدَّثَنِي أَبُو الطَّاهِرِ، أَخْبَرَنَا عَبْدُ اللهِ بْنُ وَهْبٍ، عَنْ مَخْرَمَةَ، ح. وَحَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، حَدَّثَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي مَخْرَمَةُ بْنُ بُكَيْرٍ، عَنْ أَبِيهِ، قَالَ سَمِعْتُ نَافِعًا مَوْلَى ابْنِ عُمَرَ يَقُولُ: سَمِعْتُ عَبْدَ اللهِ بْنَ أَبِي بَكْرِ بْنِ أَبِي قُحَافَةَ يُحَدِّثُ عَبْدَ اللهِ بْنَ عُمَرَ، عَنْ عَائِشَةَ، زَوْجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَنَّهَا قَالَتْ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «لَوْلاَ أَنَّ قَوْمَكِ حَدِيثُو عَهْدٍ بِجَاهِلِيَّةٍ - أَوْ قَالَ بِكُفْرٍ - لأَنْفَقْتُ كَنْزَ الْكَعْبَةِ فِي سَبِيلِ اللهِ، وَلَجَعَلْتُ بَابَهَا بِالأَرْضِ، وَلأَدْخَلْتُ فِيهَا مِنَ الْحِجْرِ.

[2848–401]. (Dar al-Salam 3082) Muhammad ibn Ḥātim narrated to me:[iv] Ibn Mahdī narrated to me; Salīm ibn Ḥayyān narrated; from Saʿīd (meaning Ibn Mīnā’); he said: I heard ʿAbdullāh ibn al-Zubayr say: **‘My maternal aunt (meaning ʿĀ’ishah) narrated to me saying: “God’s Messenger (peace be upon him) said: ‘ʿĀ’ishah! Were it not that your people were only recently idolaters, I would have pulled the Kaʿbah down to the ground and [rebuilt it and] placed in it two doors: a door to the east and a door to the west, and I would have added to it six cubits[v] from the Ḥijr. When the Quraysh rebuilt it, they kept it smaller’.”’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنِي ابْنُ مَهْدِيٍّ، حَدَّثَنَا سَلِيمُ بْنُ حَيَّانَ، عَنْ سَعِيدٍ (يَعْنِي ابْنَ مِينَاءَ) قَالَ: سَمِعْتُ عَبْدَ اللهِ بْنَ الزُّبَيْرِ يَقُولُ: حَدَّثَتْنِي خَالَتِي (يَعْنِي عَائِشَةَ) قَالَتْ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «يَا عَائِشَةُ، لَوْلاَ أَنَّ قَوْمَكِ حَدِيثُو عَهْدٍ بِشِرْكٍ لَهَدَمْتُ الْكَعْبَةَ، فَأَلْزَقْتُهَا بِالأَرْضِ. وَجَعَلْتُ لَهَا بَابَيْنِ،بَابًا شَرْقِيًّا وَبَابًا غَرْبِيًّا، وَزِدْتُ فِيهَا سِتَّةَ أَذْرُعٍ مِنَ الْحِجْرِ. فَإِنَّ قُرَيْشًا اقْتَصَرَتْهَا حَيْثُ بَنَتِ الْكَعْبَةَ.

[2849–402]. (Dar al-Salam 3083) Hannād ibn al-Sariy narrat- ed: Ibn Abi Zā’idah narrated; Ibn Abi Sulaymān reported; from ʿAṭā’. He said: **‘When the Kaʿbah was burnt when the Syrian army attacked [Makkah] during the reign of Yazīd ibn Muʿāwiyah and those events took place, Ibn al-Zubayr[vi] left the Kaʿbah as it was until people came for the hajj. He wanted to encourage them (or to stir their anger) against the people of Syria. When the people [i.e., the pilgrims] left [Makkah] he addressed its**

people saying: “People, give me your advice concerning the Kaʿbah: should I pull it down completely and rebuild it? Or should I repair the damage it has suffered?” Ibn ʿAbbās said: “I have a clear idea concerning this. I think it is better to repair the damage and leave the stones as they were when people embraced Islam and when the Prophet was sent with his message”. Ibn al-Zubayr said: “If the house of anyone of you had been burnt, you would not be satisfied until you had rebuilt it. How, then, about your Lord’s house? I am going to consult my Lord[vii] for three nights and then I will make up my mind”. When the three nights were over, he made up his mind to pull it down and rebuild it. However, people refrained from starting, fearing that the first one to start [the pulling down] might suffer some heavenly punishment. Then a man went up and threw down some of its stones. When people realized that no harm happened to him, they came forward and helped until they completely pulled it down to the ground. Ibn al-Zubayr placed some pillars and put the coverings on them until the building was raised.

Ibn al-Zubayr said: “I heard ʿĀ’ishah say that the Prophet said: ‘Were it not that people were only recently unbelievers and as I do not have the funds to strengthen its building, I would have included in it five cubits from the Ḥijr, and I would have placed a door for people to enter it and another door to exit’. Now I have the funds and I do not fear people”. He increased [the area being dug] by five cubits until he uncovered old foundations which people looked at. He rebuilt the Kaʿbah on this foundation. The height of the Kaʿbah was eighteen cubits. When he added to the size, he felt that the Kaʿbah was too short. He therefore increased its height by ten cubits. He placed in it two doors, one for entry and one for exit.

When Ibn al-Zubayr was killed, al-Ḥajjāj wrote to ʿAbd al-Malik ibn Marwān informing him of all this. He mentioned that Ibn al-Zubayr erected the building on a foundation which men of integrity from among the people of Makkah looked at. ʿAbd al-Malik wrote back: “We do not accept any bad action Ibn al-Zubayr did. What he added to its height remains, but what he added to it from al-Ḥijr [remove and] return to its original building and block the door he opened”. Al-Ḥajjāj demolished it and rebuilt it as it was earlier’.

حَدَّثَنَا هَنَّادُ بْنُ السَّرِيِّ، حَدَّثَنَا ابْنُ أَبِي زَائِدَةَ، أَخْبَرَنِي ابْنُ أَبِي سُلَيْمَانَ، عَنْ عَطَاءٍ قَالَ: لَمَّا احْتَرَقَ الْبَيْتُ زَمَنَ يَزِيدَ بْنِ مُعَاوِيَةَ، حِينَ غَزَاهَا أَهْلُ الشَّامِ، فَكَانَ مِنْ أَمْرِهِ مَا كَانَ، تَرَكَهُ ابْنُ الزُّبَيْرِ حَتَّى قَدِمَ النَّاسُ الْمَوْسِمَ، يُرِيدُ أَنْ يُجَرِّئَهُمْ - أَوْ يُحَرِّبَهُمْ - عَلَى أَهْلِ الشَّامِ. فَلَمَّا صَدَرَ النَّاسُ قَالَ: يَا أَيُّهَا النَّاسُ، أَشِيرُوا عَلَيَّ فِي الْكَعْبَةِ: أَنْقُضُهَا ثُمَّ أَبْنِي بِنَاءَهَا، أَوْ أُصْلِحُ مَا وَهَى مِنْهَا؟ قَالَ ابْنُ عَبَّاسٍ: فَإِنِّي قَدْ فُرِقَ لِي رَأْيٌ فِيهَا. أَرَى أَنْ تُصْلِحَ مَا وَهَى مِنْهَا، وَتَدَعَ بَيْتًا أَسْلَمَ النَّاسُ عَلَيْهِ، وَأَحْجَارًا أَسْلَمَ النَّاسُ عَلَيْهَا، وَبُعِثَ عَلَيْهَا النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ. فَقَالَ ابْنُ الزُّبَيْرِ: لَوْ كَانَ أَحَدُكُمُ احْتَرَقَ بَيْتُهُ مَا رَضِيَ حَتَّى يُجِدَّهُ، فَكَيْفَ بَيْتُ رَبِّكُمْ؟ إِنِّي مُسْتَخِيرٌ رَبِّي ثَلَاثًا، ثُمَّ عَازِمٌ عَلَى أَمْرِي. فَلَمَّا مَضَى الثَّلَاثُ أَجْمَعَ رَأْيَهُ عَلَى أَنْ يَنْقُضَهَا. فَتَحَامَاهُ النَّاسُ أَنْ يَنْزِلَ بِأَوَّلِ النَّاسِ يَصْعَدُ فِيهِ أَمْرٌ مِنَ السَّمَاءِ. حَتَّى صَعِدَهُ رَجُلٌ، فَأَلْقَى مِنْهُ حِجَارَةً. فَلَمَّا لَمْ يَرَهُ النَّاسُ أَصَابَهُ شَيْءٌ تَتَابَعُوا،

فَنَقَضُوهُ حَتّى بَلغُوا بِهِ الاَرْضَ. فَجَعَلَ ابْنُ الزّبَيْرِ اعْمِدَةً، فَسَتَّرَ عَلَيْهَا السُّتُورَ حَتَّى ارْتَفَعَ بِنَاؤُهُ.

وَقَالَ ابْنُ الزُّبَيْرِ إِنِّي سَمِعْتُ عَائِشَةَ تَقُولُ: إِنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لَوْلاَ أَنَّ النَّاسَ حَدِيثٌ عَهْدُهُمْ بِكُفْرٍ، وَلَيْسَ عِنْدِي مِنَ النَّفَقَةِ مَا يُقَوِّي عَلَى بِنَائِهِ، لَكُنْتُ أَدْخَلْتُ فِيهِ مِنَ الْحِجْرِ خَمْسَ أَذْرُعٍ، وَلَجَعَلْتُ لَهَا بَابًا يَدْخُلُ النَّاسُ مِنْهُ وَبَابًا يَخْرُجُونَ مِنْهُ». قَالَ: فَأَنَا الْيَوْمَ أَجِدُ مَا أُنْفِقُ، وَلَسْتُ أَخَافُ النَّاسَ. قَالَ: فَزَادَ فِيهِ خَمْسَ أَذْرُعٍ مِنَ الْحِجْرِ، حَتَّى أَبْدَى أُسًّا نَظَرَ النَّاسُ إِلَيْهِ، فَبَنَى عَلَيْهِ الْبِنَاءَ. وَكَانَ طُولُ الْكَعْبَةِ ثَمَانِيَ عَشْرَةَ ذِرَاعًا، فَلَمَّا زَادَ فِيهِ اسْتَقْصَرَهُ فَزَادَ فِي طُولِهِ عَشَرَ أَذْرُعٍ. وَجَعَلَ لَهُ بَابَيْنِ أَحَدُهُمَا يُدْخَلُ مِنْهُ وَالآخَرُ يُخْرَجُ مِنْهُ.

فَلَمَّا قُتِلَ ابْنُ الزُّبَيْرِ كَتَبَ الْحَجَّاجُ إِلَى عَبْدِ الْـمَلِكِ بْنِ مَرْوَانَ يُخْبِرُهُ بِذَلِكَ، وَيُخْبِرُهُ أَنَّ ابْنَ الزُّبَيْرِ قَدْ وَضَعَ الْبِنَاءَ عَلَى أُسٍّ نَظَرَ إِلَيْهِ الْعُدُولُ مِنْ أَهْلِ مَكَّةَ. فَكَتَبَ إِلَيْهِ عَبْدُ الْـمَلِكِ: إِنَّا لَسْنَا مِنْ تَلْطِيخِ ابْنِ الزُّبَيْرِ فِي شَيْءٍ. أَمَّا مَا زَادَ فِي طُولِهِ فَأَقِرَّهُ وَأَمَّا مَا زَادَ فِيهِ مِنَ الْحِجْرِ فَرُدَّهُ إِلَى بِنَائِهِ، وَسُدَّ الْبَابَ الَّذِي فَتَحَهُ. فَنَقَضَهُ وَأَعَادَهُ إِلَى بِنَائِهِ.

[2850–403]. (Dar al-Salam 3084-3085) Muhammad ibn Ḥātim narrated to me: Muhammad ibn Bakr narrated; Ibn Jurayj reported; he said: I heard ʿAbdullāh ibn ʿUbayd; ibn ʿUmayr and al-Walīd

ibn ʿAṭā’ narrating from al-Ḥārith ibn ʿAbdullāh ibn Abi Rabīʿah. ʿAbdullāh ibn ʿUbayd said: **‘Al-Ḥārith ibn ʿAbdullāh visited ʿAbd al-Malik ibn Marwān during his reign [as Caliph]. ʿAbd al-Malik said: “I do not think that Abu Khubayb (meaning Ibn al-Zubayr) heard from ʿĀ’ishah what he claimed to have heard from her”. Al-Ḥārith said: “He did. I myself heard it from her”. ʿAbd al-Malik said: “What did you hear her say?” He said: “She said: ‘God’s Messenger (peace be upon him) said: “Your people fell short of rebuilding the Kaʿbah, and were it not for that they were only recently idolaters, I would have reinstated what they had left of it. If your people decide to rebuild it after I am gone, let me show you what they had left undone”.’ He showed her close to seven cubits”.’ This is ʿAbdullāh ibn ʿUbayd’s narration.**

Al-Walīd ibn ʿAṭā’ added: ‘The Prophet (peace be upon him) said: “I would also open two doors for it, making them level with the ground, one to the east and one to the west. Do you know why your people kept its door high?” She said: “I said: ‘No’.” He said: “Out of vanity, so that no one could enter except whom they approved of. If a man decided to enter, they would let him go up until he was about to enter, there they would push him, and he would fall”.

ʿAbd al-Malik said to al-Ḥārith: “Did you yourself hear her say this?” He said: “I did”. He poked the ground with his stick for a while, then said: “I wish I had left it for him and what he undertook”.’

حَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا مُحَمَّدُ بْنُ بَكْرٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، قَالَ: سَمِعْتُ عَبْدَ اللهِ بْنَ عُبَيْدِ بْنِ عُمَيْرٍ وَالْوَلِيدَ بْنَ عَطَاءٍ يُحَدِّثَانِ عَنِ الْحَارِثِ بْنِ عَبْدِ اللهِ بْنِ أَبِي رَبِيعَةَ.

قَالَ عَبْدُ اللهِ بْنُ عُبَيْدٍ: وَفَدَ الحَارِثُ بْنُ عَبْدِ اللهِ عَلى عَبْدِ الْـمَلِكِ بْنِ مَرْوَانَ فِي خِلاَفَتِهِ، فَقَالَ عَبْدُ الْـمَلِكِ: مَا أَظُنُّ أَبَا خُبَيْبٍ - يَعْنِي ابْنَ الزُّبَيْرِ - سَمِعَ مِنْ عَائِشَةَ مَا كَانَ يَزْعُمُ أَنَّهُ سَمِعَهُ مِنْهَا. قَالَ الْحَارِثُ: بَلَى، أَنَا سَمِعْتُهُ مِنْهَا. قَالَ: سَمِعْتَهَا تَقُولُ مَاذَا؟ قَالَ: قَالَتْ قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «إِنَّ قَوْمَكِ اسْتَقْصَرُوا مِنْ بُنْيَانِ الْبَيْتِ. وَلَوْلاَ حَدَاثَةُ عَهْدِهِمْ بِالشِّرْكِ، أَعَدْتُ مَا تَرَكُوا مِنْهُ. فَإِنْ بَدَا لِقَوْمِكِ مِنْ بَعْدِي أَنْ يَبْنُوهُ، فَهَلُمِّي لأُرِيَكِ مَا تَرَكُوا مِنْهُ». فَأَرَاهَا قَرِيبًا مِنْ سَبْعَةِ أَذْرُعٍ. هَذَا حَدِيثُ عَبْدِ اللهِ بْنِ عُبَيْدٍ. وَزَادَ عَلَيْهِ الْوَلِيدُ بْنُ عَطَاءٍ قَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «وَلَجَعَلْتُ لَهَا بَابَيْنِ مَوْضُوعَيْنِ فِي الأَرْضِ، شَرْقِيًّا وَغَرْبِيًّا. وَهَلْ تَدْرِينَ لِمَ كَانَ قَوْمُكِ رَفَعُوا بَابَهَا»؟ قَالَتْ: قُلْتُ لا. قَالَ: «تَعَزُّزًا أَنْ لاَ يَدْخُلَهَا إِلاَّ مَنْ أَرَادُوا. فَكَانَ الرَّجُلُ إِذَا هُوَ أَرَادَ أَنْ يَدْخُلَهَا يَدْعُونَهُ يَرْتَقِي، حَتَّى إِذَا كَادَ أَنْ يَدْخُلَ دَفَعُوهُ فَسَقَطَ».

قَالَ عَبْدُ الْـمَلِكِ لِلْحَارِثِ: أَنْتَ سَمِعْتَهَا تَقُولُ هَذَا؟ قَالَ نَعَمْ. قَالَ: فَنَكَتَ سَاعَةً بِعَصَاهُ، ثُمَّ قَالَ: وَدِدْتُ أَنِّي تَرَكْتُهُ وَمَا تَحَمَّلَ.

Muhammad ibn ʿAmr ibn Jabalah narrated: Abu ʿĀṣim narrated [H]. Also, ʿAbd ibn Ḥumayd narrated; ʿAbd al-Razzāq reported; both from Ibn Jurayj; with this chain of transmission: **the same text as Ibn Bakr’s narration.**

وَحَدَّثَنَاهُ مُحَمَّدُ بْنُ عَمْرِو بْنِ جَبَلَةَ، حَدَّثَنَا ابُو عَاصِمٍ، ح. وَحَدَّثَنَا عَبْدُ بْنُ حُمَيْدٍ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، كِلاَهُمَا عَنِ ابْنِ جُرَيْجٍ، بِهَذَا الإِسْنَادِ. مِثْلَ حَدِيثِ ابْنِ بَكْرٍ.

[2851–404]. (Dar al-Salam 3086) Muhammad ibn Ḥātim narrated to me: ʿAbdullāh ibn Bakr al-Sahmī narrated; Ḥātim ibn Abi Ṣaghīrah narrated; from Abu Qazaʿah; that **‘ʿAbd al-Malik ibn Marwān was performing the *ṭawāf* at the Kaʿbah when he said: “Confound Ibn al-Zubayr as he lied to the Mother of the Believers. He said: ‘I heard her say: “God’s Messenger said: ‘ʿĀ’ishah, were it not for that your people only recently were unbelievers, I would have rebuilt the Kaʿbah so that I could add to it a portion of al-Ḥijr, because your people left it short [of its size]’.”’” Al-Ḥārith ibn ʿAbdullāh ibn Abi Rabīʿah said: “Do not say this, *Amīr al-Mu’minīn*. I heard the Mother of the Believers saying this”. He said: “Had I heard this before I demolished it, I would have left it as Ibn al-Zubayr rebuilt it”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا عَبْدُ اللهِ بْنُ بَكْرٍ السَّهْمِيُّ، حَدَّثَنَا حَاتِمُ بْنُ أَبِي صَغِيرَةَ، عَنْ أَبِي قَزَعَةَ، أَنَّ عَبْدَ الْـمَلِكِ بْنَ مَرْوَانَ، بَيْنَمَا هُوَ يَطُوفُ بِالْبَيْتِ إِذْ قَالَ: قَاتَلَ اللهُ ابْنَ الزُّبَيْرِ حَيْثُ يَكْذِبُ عَلَى أُمِّ الْـمُؤْمِنِينَ. يَقُولُ سَمِعْتُهَا تَقُولُ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «يَا عَائِشَةُ، لَوْلاَ حِدْثَانُ قَوْمِكِ بِالْكُفْرِ، لَنَقَضْتُ الْبَيْتَ حَتَّى أَزِيدَ فِيهِ مِنَ الْحِجْرِ. فَإِنَّ قَوْمَكِ قَصَّرُوا فِي الْبِنَاءِ». فَقَالَ الْحَارِثُ بْنُ عَبْدِ اللهِ بْنِ أَبِي رَبِيعَةَ: لاَ تَقُلْ هَذَا يَا أَمِيرَ الْـمُؤْمِنِينَ، فَأَنَا سَمِعْتُ أُمَّ الْـمُؤْمِنِينَ تُحَدِّثُ

هَذَا. قَالَ لَوْ كُنْتُ سَمِعْتُهُ قَبْلَ انْ اهْدِمَهُ، لتَرَكتُهُ عَلى مَا بَنَى ابْنُ الزُّبَيْرِ.

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i. Related by al-Bukhari, 1585; al-Nasā’ī, 2901.

ii. Related by al-Bukhari, 1583, 3368, 4484; al-Nasā’ī, 2900.

iii. The Ḥijr is the semi-circular area next to the Kaʿbah.

iv. Related by al-Nasā’ī, 2910.

v. A cubit is an old measure of length, equal to the length of a forearm, and it has been established to be equal to 46.2 centimeters.

vi. ʿAbdullāh ibn al-Zubayr ibn al-ʿAwwām opposed the appointment of Yazīd as caliph after his father Muʿāwiyah because this would have changed the caliphate system into a monarchy. So, Ibn al-Zubayr himself claimed the caliphate and his rule extended over the Arabian Peninsula and Iraq, but he had to fight several battles against the Umayyad caliphs. He lost all these battles in Iraq and Arabia, and the last one he fought was against al-Ḥajjāj ibn Yūsuf in Makkah in year 73 AH. Yazīd was Caliph in Syria during the period 61-65 AH. Ibn al-Zubayr was a young companion of the Prophet. ʿĀ’ishah was his maternal aunt and his mother was Asmā’ bint Abu Bakr.

vii. ‘Consult my Lord’ means praying the *istikhārah*, which means the ‘consultation prayer’. This is a special prayer of two *rakʿahs* followed by a supplication seeking God’s guidance on the matter in hand. Then one follows through with whatever option appears to be easy and facilitated. Ibn al-Zubayr mentioned that he would offer this prayer and supplication on three successive nights so that whatever was presented to him would be the right choice, facilitated by God’s help and guidance.

CHAPTER 70

THE EXTENT AND THE DOOR OF THE KAʿBAH

[2852–405]. (Dar al-Salam 3087) Saʿīd ibn Manṣūr narrated: Abu al-Aḥwaṣ narrated; Ashʿath ibn Abi al-Shaʿthā’ narrated; from al-Aswad ibn Yazīd; from ʿĀ’ishah. She said: **‘I asked God’s Messenger (peace be upon him) about the wall [meaning the Ḥijr]: “is it part of the Kaʿbah?” He said: “Yes”. I said: “Why did they not incorporate it in the Kaʿbah?” He said: “Your people were short of funds”. I said: “Why is its door placed high?” He said: “Your people did this so that they would allow whomever they willed to enter and block entry to whomever they willed. Were it not that your people were recently in *jāhiliyyah*, I would consider incorporating the wall in the Kaʿbah and make its door level with the ground”.’**

حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، حَدَّثَنَا أَبُو الأَحْوَصِ، حَدَّثَنَا أَشْعَثُ بْنُ أَبِي الشَّعْثَاءِ، عَنِ الأَسْوَدِ بْنِ يَزِيدَ، عَنْ عَائِشَةَ، قَالَتْ: سَأَلْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنِ الْجَدْرِ أَمِنَ الْبَيْتِ هُوَ؟ قَالَ: «نَعَمْ». قُلْتُ: فَلِمَ لَمْ يُدْخِلُوهُ فِي الْبَيْتِ؟ قَالَ: «إِنَّ قَوْمَكِ قَصَّرَتْ بِهِمُ النَّفَقَةُ». قُلْتُ: فَمَا شَأْنُ بَابِهِ مُرْتَفِعًا؟ قَالَ: «فَعَلَ ذَلِكِ قَوْمُكِ لِيُدْخِلُوا مَنْ شَاءُوا، وَيَمْنَعُوا مَنْ شَاءُوا. وَلَوْلاَ أَنَّ

قَوْمَكِ حَدِيثٌ عَهْدُهُمْ فِي الجَاهِلِيّةِ، فَاخَافَ إِنْ تُنْكِرَ قُلُوبُهُمْ، لَنَظَرْتُ أَنْ أَدْخِلَ الْجَدْرَ فِي الْبَيْتِ، وَأَنْ أُلْزِقَ بَابَهُ بِالأَرْضِ.

[2853–406]. (Dar al-Salam 3088) Abu Bakr ibn Abi Shaybah narrated: ʿUbaydullāh (meaning Ibn Mūsā) narrated; Shaybān narrated; from Ashʿath ibn Abi al-Shaʿthā’; from al-Aswad ibn Yazīd; from ʿĀ’ishah. She said: **‘I asked God’s Messenger (peace be upon him) about al-Ḥijr…’. He added the hadith with the same meaning as Abu al-Aḥwaṣ’s narration but said in it: ‘I asked: “Why is its door so high that it can only be reached with a ladder?” and he said: “For fear that they would find it unacceptable”.’**

وَحَدَّثَنَاهُ أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، قَالَ حَدَّثَنَا عُبَيْدُ اللهِ (يَعْنِي ابْنَ مُوسَى)، حَدَّثَنَا شَيْبَانُ، عَنْ أَشْعَثَ بْنِ أَبِي الشَّعْثَاءِ، عَنِ الأَسْوَدِ بْنِ يَزِيدَ، عَنْ عَائِشَةَ، قَالَتْ: سَأَلْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنِ الْحِجْرِ... وَسَاقَ الْحَدِيثَ بِمَعْنَى حَدِيثِ أَبِي الأَحْوَصِ، وَقَالَ فِيهِ: فَقُلْتُ فَمَا شَأْنُ بَابِهِ مُرْتَفِعًا، لَا يُصْعَدُ إِلَيْهِ إِلَّا بِسُلَّمٍ؟ وَقَالَ: «مَخَافَةَ أَنْ تَنْفِرَ قُلُوبُهُمْ».

Text Explanation

The hadiths in this chapter mention that when the Quraysh rebuilt the Kaʿbah, they fell short of putting it back as it was before. This is expressed in different ways, but what they all mean is that they did not have enough funds to ensure rebuilding it as it was. These hadiths include several basic rules. One of these is that when different interests pull in opposite directions, or when advantages and disadvantages cannot be dealt with in a way that ensures the advantage and discards the disadvantage, the more important aspect is given priority. The Prophet made clear that the demolition of the Kaʿbah and rebuilding it on the same foundations Abraham placed was an advantage. However, it was opposed by a possible greater harm, which was the effect it might have had on some of those who had only recently adopted Islam. The Arabs venerated the Kaʿbah and felt that changing it was a very serious matter. Therefore, the Prophet left it as the Quraysh rebuilt it.

Another rule is that a ruler must consider the interests of his people so that he avoids what might bring harm to them in their religion or their lives, apart from what Islam requires, such as levying zakat and enforcing legal punishments, etc. A further rule is the need to take care of the population and protect them from what might cause their alienation, provided that this does not violate any Islamic principle.

Scholars said that the Kaʿbah was built five times: It was first built by angels, then by Prophet Abraham, then the Quraysh rebuilt it before Islam. The Prophet was present when it was rebuilt by the Quraysh, and he was thirty-five years of age, although some reports put his age at the time of twenty-five. It was during this rebuilding that he fell to the ground when his lower garment fell off. The fourth time was when ʿAbdullāh ibn al-Zubayr rebuilt it, and then al-Ḥajjāj ibn Yūsuf rebuilt it. It stands to this day as al-Ḥajjāj rebuilt it. It is said that it was rebuilt two or three times thereafter, and I explained all this in my large book, *Īḍāḥ al-Manāsik*. Scholars also say that it must not be changed from its last shape. It is mentioned that the Abbasid Caliph Ḥārūn al-Rashīd consulted Imam Mālik ibn Anas about rebuilding the Kaʿbah on the same lines as Ibn al-Zubayr rebuilt it, to implement the hadiths mentioned in this chapter. Mālik said to him: ‘*Amīr*

al-Mu'minīn, I appeal to you by God that you do not make the Kaʿbah a plaything for kings, allowing everyone to demolish it and rebuild it. Its reverence will thus be lost'.

In hadith No. 2845 the Prophet says that he would have given the Kaʿbah a back door. This is explained in No. 2848 where the Prophet says that he would have placed in it an eastern and a western door. And in hadith No. 2849 Ibn al-Zubayr gave it two doors, one for entry and one for exit.

In hadith No. 2846 ʿAbdullāh ibn ʿUmar says: 'Since ʿĀ'ishah heard this from the Prophet…'. A more literal translation would be: 'If ʿĀ'ishah heard this…'. *Qadi* ʿIyāḍ said:

> This expression by Ibn ʿUmar is not meant to doubt her report or accuracy. She was renowned for her perfect memorization and accurate reporting. No one would doubt the accuracy of her information. It is merely a mode of expression the Arabs frequently used, stating what they know to be certain in the form of a probable. It is even used in the Qur'an, as in: 'Say: Were I to go astray, I would but go astray to the loss of myself. But if I am on the right path, it is through what my Lord reveals to me'. (34: 50)

In hadith No. 2847 the Prophet says to ʿĀ'ishah: 'Were it not that your people were only recently in *jāhiliyyah* (or he said 'unbelievers'), I would have spent the treasure of the Kaʿbah for God's cause'. This confirms what we said earlier that when it is not possible to ensure all the needed advantages, the more important ones are given priority. The hadith also makes it clear that it is permissible to spend the treasure of the Kaʿbah and what is pledged to it, or indeed only what is surplus to its needs, to serve God's cause. However, a different version says: 'I would have spent the treasure of the Kaʿbah on its building', and building it is part of God's cause. So, perhaps the two versions have the same meaning, but God knows best. In our Shāfiʿī School's view, the surplus of what is endowed to a certain mosque, or any other endowment, may not be spent to look after any other mosque or cause. It must always be retained for the place it is endowed for as it may be needed in future, but God knows best.

In the same hadith, the Prophet says: 'I would have incorporated a part of al-Ḥijr in it'. In the next hadith, he says that he would have added six

cubits from al-Ḥijr in it. Yet another hadith mentions five cubits and one close to seven cubits. The hadiths included in the next chapter mention that ʿĀ'ishah asked the Prophet whether the Ḥijr was part of the Kaʿbah and he answered in the affirmative.

Our scholars say that the distance of six cubits next to the Kaʿbah in al-Ḥijr are certainly considered part of the Kaʿbah, and there is no disagreement on this point, while there is some disagreement about what is beyond that. If a person performs the *ṭawāf* walking inside the Ḥijr but keeping more than six cubits between himself and the Kaʿbah, scholars of our Shāfiʿī School give two views about the validity of that person's *ṭawāf*. One of them is that it is permissible on the basis of the apparent meaning of these hadiths. This view is preferred by a number of our scholars from Khurāsān. The other view is that his walking in any part of the Ḥijr, or on its wall, renders his *ṭawāf* invalid. The *ṭawāf* is not valid unless it is done outside all the area of al-Ḥijr. This is the correct view stated by al-Shāfiʿī and supported by the great majority of our Iraqi scholars and most of our other scholars. Indeed, it is endorsed by the great majority of Muslim scholars, except Abu Ḥanīfah who said that a person who does so should repeat his *ṭawāf* as long as he is in Makkah, but if he returns home without repeating it, he should compensate for his error by sacrificing a sheep. In support of their view, the majority of scholars cite the fact that the Prophet performed his *ṭawāf* behind the Ḥijr and said: 'Learn your rituals', and Muslims thereafter did the same. Whether all or an area of al-Ḥijr is part of the Kaʿbah, the *ṭawāf* must be from behind it, as the Prophet did, but God knows best.

The text of hadith No. 2849 begins as follows: 'When the Kaʿbah was burnt when the Syrian army attacked [Makkah] during the reign of Yazīd ibn Muʿāwiyah and those events took place, Ibn al-Zubayr left the Kaʿbah as it was until people came for the hajj. He wanted to encourage them (or to stir their anger) against the people of Syria'. The Arabic word used in the hadith, *yujarri'ahum*, translated as 'encourage them', is read in different forms. All of these are written in the same way, but the difference is mostly in dotting its different letters. Its other meanings are 'to test them' and gauge their feelings against those who perpetrated this crime against the

Kaʿbah; or ‘to stir their anger’ at what was done. *Qadi* ʿIyāḍ said: ‘It may also mean: to urge them to fight alongside him’.

In this hadith, Ibn al-Zubayr puts the matter to the people, seeking their advice. This confirms that a leader should consult wise and good people on matters of importance. Ibn ʿAbbās’ advice was to repair the damage so as to retain the Kaʿbah as it was at the time of the Prophet’s message. Ibn al-Zubayr reminds the people that in a personal concern, they would not be happy unless they had rebuilt their houses if they had been burnt down.

When the Kaʿbah was demolished ‘Ibn al-Zubayr placed some pillars and put the coverings on them until the building was raised’. The purpose of these pillars and coverings was that people would face them during the period of rebuilding. They would show the place of the Kaʿbah. The coverings continued in place until the new building was high enough to be seen by people when they prayed. They were then removed because they had served their purpose. *Qadi* ʿIyāḍ considers Ibn al-Zubayr’s action as evidence confirming Mālik’s view that what is faced in prayer is the building, not the spot. He adds: ‘It was Ibn ʿAbbās who advised ʿAbdullāh ibn al-Zubayr to do this, saying: “If you are to demolish it, do not leave the people without their *qiblah*”. Jābir said to him: “Pray towards its place, for the *qiblah* is there”.’ The view of al-Shāfiʿī and other scholars is that it is permissible to pray towards the ground of the Kaʿbah. That is sufficient and acceptable according to them, whether some portion of it remains in place or not, but God knows best.

In the same hadith, ʿAbd al-Malik writes to al-Ḥajjāj, the leader of his army which fought Ibn al-Zubayr: ‘We do not accept any bad action done by Ibn al-Zubayr’. He meant to abuse Ibn al-Zubayr and criticize his action. In the next hadith he says to his visitor that he did not think Ibn al-Zubayr told the truth when he quoted ʿĀ’ishah about the area of the Kaʿbah. His visitor, al-Ḥārith ibn ʿAbdullāh, confirms that he himself heard the same hadith narrated by her.

The name of this visitor is given in all copies as al-Ḥārith ibn ʿAbdullāh, and there is no difference in his name in all copies. These copies are taken from the narration by ʿAbd al-Ghaffār ibn al-Fārisī. *Qadi* ʿIyāḍ claims that the name is given in the same way by all narrators except al-Fārisī who mentions it as al-Ḥarith ibn ʿAbd al-Aʿlā. He adds that it is

wrong, and the correct version is al-Ḥārith ibn ʿAbdullāh. What *Qadi* ʿIyāḍ says about al-Fārisī's narration is unacceptable because it is the same as other narrations. Perhaps *Qadi* ʿIyāḍ saw a copy of it where the name was wrongly written by the one who copied it, but not by al-Fārisī himself, but God knows best.

In hadith No. 2851 ʿAbd al-Malik expresses his view about Ibn al-Zubayr's action in rebuilding the Kaʿbah, but al-Ḥārith says to him: 'Do not say this, *Amīr al-Mu'minīn*. I heard the Mother of the Believers saying this'. This shows the need to support whoever is wronged, refute backbiting, and to confirm the truth of someone wrongly accused of lying. Al-Ḥārith belonged to the *tābiʿīn* generation and his full name is al-Ḥārith ibn ʿAbdullāh ibn ʿAyyāsh ibn Abi Rabīʿah.

CHAPTER 71

SUBSTITUTE HAJJ

[2854–407]. (Dar al-Salam 3089) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Ibn Shihāb; from Sulaymān ibn Yasār; from ʿAbdullāh ibn ʿAbbās; that he said: **‘Al-Faḍl ibn ʿAbbās was riding behind God’s Messenger (peace be upon him) when a woman from Khathʿam came requesting a ruling. Al-Faḍl was looking at her and she was looking at him. God’s Messenger kept turning al-Faḍl’s face the other side. The woman said: “Messenger of God, the duty of hajj which God requires His servants to perform has found my father an elderly man who cannot keep steady on his camel. May I perform the hajj on his behalf?” The Prophet said: “Yes”. This was during the Farewell Pilgrimage’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ عَبْدِ اللهِ بْنِ عَبَّاسٍ أَنَّهُ قَالَ: كَانَ الْفَضْلُ بْنُ عَبَّاسٍ رَدِيفَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَجَاءَتْهُ امْرَأَةٌ مِنْ خَثْعَمَ تَسْتَفْتِيهِ. فَجَعَلَ الْفَضْلُ يَنْظُرُ إِلَيْهَا وَتَنْظُرُ إِلَيْهِ. فَجَعَلَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَصْرِفُ وَجْهَ الْفَضْلِ إِلَى الشِّقِّ الآخَرِ. قَالَتْ: يَا رَسُولَ اللهِ إِنَّ فَرِيضَةَ اللهِ عَلَى عِبَادِهِ فِي الْحَجِّ أَدْرَكَتْ أَبِي شَيْخًا كَبِيرًا، لاَ يَسْتَطِيعُ أَنْ يَثْبُتَ

عَلى الرَّاحِلةِ. افَاحُجّ عَنْهُ؟ قَالَ: «نَعَمْ». وَذَلِكَ فِي حَجّةِ الْوَدَاعِ.

[2855–408]. (Dar al-Salam 3090) ʿAlī ibn Khashram narrated to me:[ii] ʿĪsā reported; from Ibn Jurayj; from Ibn Shihāb; Sulaymān ibn Yasār narrated; from Ibn ʿAbbās; from al-Faḍl; that **‘A woman from Khathʿam said: “Messenger of God, my father is an elderly man and he has to perform the hajj as it is a duty owed to God, but he cannot remain steady on his camel’s back”. The Prophet (peace be upon him) said: “Then you perform the hajj on his behalf”.’**

حَدَّثَنِي عَلِيُّ بْنُ خَشْرَمٍ، أَخْبَرَنَا عِيسَى، عَنِ ابْنِ جُرَيْجٍ، عَنِ ابْنِ شِهَابٍ، حَدَّثَنَا سُلَيْمَانُ بْنُ يَسَارٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ الْفَضْلِ، أَنَّ امْرَأَةً مِنْ خَثْعَمَ قَالَتْ: يَا رَسُولَ اللهِ إِنَّ أَبِي شَيْخٌ كَبِيرٌ، عَلَيْهِ فَرِيضَةُ اللهِ فِي الْحَجِّ، وَهُوَ لاَ يَسْتَطِيعُ أَنْ يَسْتَوِيَ عَلَى ظَهْرِ بَعِيرِهِ. فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «فَحُجِّي عَنْهُ».

Text Explanation

This hadith, in its two versions, highlights several useful points, including the permissibility of taking someone behind oneself on one's mount if the mount is able to carry two people. It also covers the permissibility of listening to a woman when needed, as in seeking a ruling, carrying out a transaction and other matters, and the prohibition of looking at a woman who is unrelated to one.[iii] Other points include removing what is wrong physically, if possible, and the permissibility to perform a substitute hajj on behalf of a person who cannot undertake the journey because of a chronic illness, old age or death. Furthermore, it is perfectly legitimate for a woman to perform such a substitute hajj on behalf of a man. The hadith also stresses the importance of dutifulness to parents, looking after their interests, such as paying their debts, serving them, supporting them financially and performing the hajj on their behalf, etc. The hadith also makes it clear that the hajj is a duty incumbent on a person who cannot do it himself but is able to do it through someone else, such as one of his children performing it on his behalf. This is the view of our school because the woman put her case to the Prophet in these terms: 'The hajj duty has found my father an elderly man who cannot keep steady on his camel'. Another point is that it is permissible to say the phrase, 'the Farewell Pilgrimage', as we have mentioned on several occasions.

Additionally, the hadith implies the permissibility of women travelling to perform the hajj without a *maḥram* companion [i.e., her husband or a close relative whom she cannot marry], if she feels safe to do so. This is our view and the view of the majority of scholars. It is also permissible to perform the hajj on behalf of someone who cannot do it themselves, either because of death or disability, i.e., a chronic illness, old age or the like. Mālik, al-Layth and al-Ḥasan ibn Ṣāliḥ, however, said that no one may perform the hajj on behalf of another except for a deceased person who did not do the obligatory hajj.

Qadi ʿIyāḍ said: 'It has been reported that al-Nakhaʿī and some early scholars said that it is not valid to perform the hajj on behalf of a deceased person or anyone else, even if that deceased person included such in his will. This is also reported from Mālik. Al-Shāfiʿī and the majority of

scholars said that it is permissible to perform the hajj on behalf of a deceased person, whether it is an obligatory or pledged hajj, and whether the deceased stated this in his will or not, and it is credited to the deceased person. According to al-Shāfiʿī and other scholars, the expenses are charged to the deceased's estate'. Also, according to our school and the more correct of the two views, it is permissible for a sick person to request someone else to do a voluntary hajj on his behalf. Scholars, apart from al-Ḥasan ibn Ṣāliḥ, agree that it is perfectly appropriate for a woman to do the hajj on behalf of a man, but God knows best.

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i. Related by al-Bukhari, 1513, 1854, 1855, 4399 and 6228; Abu Dāwūd, 1809; al-Nasā'ī, 2633, 2634, 2639, 2640, 2641, 5405, 5406, 5407, 5408.

ii. Related by al-Bukhari in a longer version, 1853; al-Tirmidhī, 928; al-Nasā'ī in a longer version, 5404; Ibn Mājah in a longer version, 2909.

iii. There is nothing in the hadith to suggest this. Had it been prohibited to look at such a woman, the Prophet would have had to clearly tell al-Faḍl not to do so. This would have been a duty incumbent on the Prophet at that time, but he did not say anything on this. Instead, he turned al-Faḍl's face away because al-Faḍl was a young man looking at a young woman at a time of attending to hajj duties. The Prophet explained this to al-Faḍl's father who was the Prophet's uncle, al-ʿAbbās.

CHAPTER 72

THE VALIDITY OF CHILDREN'S HAJJ

[2856–409]. (Dar al-Salam 3091) Abu Bakr ibn Abi Shaybah, Zuhayr ibn Ḥarb and Ibn Abi ʿUmar narrated:[i] all from Ibn ʿUyaynah; Abu Bakr said: Sufyān ibn ʿUyaynah narrated; from Ibrāhīm ibn ʿUqbah; from Kurayb, Ibn ʿAbbās' *mawlā*; from Ibn ʿAbbās; from the Prophet (peace be upon him): **'He met a group at al-Rawḥā' and asked: "Which people are you?" They said: "Muslims, who are you?" He said: "God's Messenger". A woman lifted a child and asked: "Can this one do the hajj?" He said: "Yes, and you shall have a reward".'**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، وَابْنُ أَبِي عُمَرَ، جَمِيعًا عَنِ ابْنِ عُيَيْنَةَ. قَالَ أَبُو بَكْرٍ حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنِ ابْنِ عَبَّاسٍ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لَقِيَ رَكْبًا بِالرَّوْحَاءِ فَقَالَ: «مَنِ الْقَوْمُ»؟ قَالُوا الْـمُسْلِمُونَ. فَقَالُوا مَنْ أَنْتَ؟ قَالَ: «رَسُولُ اللهِ». فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيًّا فَقَالَتْ: أَلِهَذَا حَجٌّ؟ قَالَ: «نَعَمْ، وَلَكِ أَجْرٌ».

[2857–410]. (Dar al-Salam 3092) Abu Kurayb Muhammad ibn al-ʿAlā’ narrated: Abu Usāmah narrated; from Sufyān; from Muhammad ibn ʿUqbah; from Kurayb; from Ibn ʿAbbās. He said: **‘A woman lifted a son of hers and said: “Messenger of God, can this one do the hajj?” He said: “Yes, and you earn a reward”.’**

حَدَّثَنَا أَبُو كُرَيْبٍ مُحَمَّدُ بْنُ الْعَلاَءِ، حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: رَفَعَتِ امْرَأَةٌ صَبِيًّا لَهَا، فَقَالَتْ يَا رَسُولَ اللهِ، أَلِهَذَا حَجٌّ؟ قَالَ: «نَعَمْ وَلَكِ أَجْرٌ».

[2858–411]. (Dar al-Salam 3093-3094) Muhammad ibn al-Muthannā narrated to me: ʿAbd al-Raḥmān narrated; Sufyān narrated; from Ibrāhīm ibn ʿUqbah; from Kurayb that **‘A woman lifted a boy and said: “Messenger of God, can this one do the hajj?” He said: “Yes, and you earn a reward”.’**

وَحَدَّثَنِي مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، حَدَّثَنَا سُفْيَانُ، عَنْ إِبْرَاهِيمَ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ، أَنَّ امْرَأَةً رَفَعَتْ صَبِيًّا فَقَالَتْ: يَا رَسُولَ اللهِ أَلِهَذَا حَجٌّ؟ قَالَ: «نَعَمْ وَلَكِ أَجْرٌ».

Ibn al-Muthannā narrated:[ii] ʿAbd al-Raḥmān narrated; Sufyān narrated; from Muhammad ibn ʿUqbah; from Kurayb; from Ibn ʿAbbās: **the same text.**

وَحَدَّثَنَا ابْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، حَدَّثَنَا سُفْيَانُ، عَنْ مُحَمَّدِ بْنِ عُقْبَةَ، عَنْ كُرَيْبٍ، عَنِ ابْنِ عَبَّاسٍ، بِمِثْلِهِ.

Text Explanation

The first hadith, No. 2856 mentions that the Prophet met a group of people at al-Rawḥā'. The word *rakb* which stands for 'a group' is originally used to refer to a small number of people, not exceeding ten, riding camels. It was mentioned earlier that al-Rawḥā' is a place about 36 Arabian miles[iii] from Madinah.

Qadi ʿIyāḍ said: 'This meeting might have been at night which would explain why they did not recognize the Prophet. Alternatively, it might have been during the day and they had not met the Prophet on any earlier occasion as they might have embraced Islam in their own town without migrating to Madinah or visiting it'.

All versions of this hadith mention: 'A woman lifted a son of hers and said: "Messenger of God, can this one do the hajj?" He said: "Yes, and you earn a reward".' This gives a clear argument in support of the view of al-Shāfiʿī, Mālik, Ahmad and the great majority of scholars that a child's hajj is valid and a reward for it is credited to the child. [The hadith also mentions an additional reward for the guardian taking the child for hajj]. However, it does not fulfil the obligation incumbent on every Muslim adult to perform the hajj. It is rather considered as a voluntary hajj for the child. This hadith clearly confirms this. However, Abu Ḥanīfah says that a child's hajj is not valid. Ḥanafī scholars say that early Muslims did it so that a child would be trained to do the hajj and find it easy to do when the duty applied to him. This hadith refutes their argument. *Qadi* ʿIyāḍ says:

> There is no disagreement among scholars that taking children on pilgrimage is permissible. Only some who follow deviant views oppose it, but their view is worthless. It is rejected by the fact that the Prophet and his Companions did it and the Muslim community is unanimous that it is acceptable. Abu Ḥanīfah's disagreement focuses on whether a child's hajj is valid so as to make the rulings applicable to the hajj applicable to the child, including compensation and the sacrifice required for omitting some duties and other rulings. Abu Ḥanīfah says that nothing of this is applicable, but the child's hajj is a training exercise. The majority of

scholars say that all hajj rulings are applicable to a child's hajj and it is valid as a voluntary hajj because the Prophet said so. Besides, scholars are unanimous that a child's hajj does not discharge the Islamic duty of hajj which becomes incumbent when the child attains puberty. Only a small group take the opposite view and say that a child's hajj discharges the duty, but scholars discard this view.

The Prophet says to the woman who asked him about the child's hajj: 'And you earn a reward'. This reward is for her taking care of the child, making sure that the child avoids what a person in *iḥrām* must avoid and does what such a person needs to do, but God knows best.

Who starts the child's consecration? The correct view according to our Shāfiʿī scholars is the one who is in charge of the child's property, which means its father, grandfather, guardian, the one appointed by a judge, a judge or the ruler. The child's mother may not start its consecration unless she is formally appointed as guardian by a judge. Some scholars say that she, or any close relative, may start the child's consecration and it is valid even if such relatives are not in charge of the child's property. All this applies if the child is too young to understand what is involved. If the child is older, its guardian gives it permission to start the *iḥrām*. If the child starts the *iḥrām* without such permission, or if the guardian starts the *iḥrām* on the child's behalf, it is not valid. A guardian starts the *iḥrām* on behalf of a young child by mentally formulating the intention of putting the child in *iḥrām*, but God knows best.

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i. Related by Abu Dāwūd, 1736; al-Nasā'ī, 2646, 2647, 2648.

ii. Related by al-Nasā'ī, 2644.

iii. The Arabian mile is a little longer than a British mile. It is estimated to be equal to 1848 metres, which makes the distance between it and al-Rawḥā' around 66 kilometres.

CHAPTER 73

THE HAJJ DUTY – ONCE IN A LIFETIME

[2859–412]. (Dar al-Salam 3095) Zuhayr ibn Ḥarb narrated to me:[i] Yazīd ibn Ḥārūn narrated; al-Rabīʿ ibn Muslim al-Qurashī reported; from Muhammad ibn Ziyād; from Abu Hurayrah. He said: **‘God’s Messenger (peace be upon him) addressed us and said: “God has made the hajj obligatory to you, people, so perform the hajj”. A man said: “Every year, Messenger of God?” The Prophet remained silent while the man repeated his question three times. God’s Messenger said: “Had I said, ‘Yes’, it would be a duty and you would not be able to fulfil it”. He then added: “When I leave out something, let it be. People before you were ruined by asking too many questions and by their disobedience of their prophets. When I give you an order, fulfil it as best you can, and if I prohibit you something, abandon it”.’**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، أَخْبَرَنَا الرَّبِيعُ بْنُ مُسْلِمٍ الْقُرَشِيُّ، عَنْ مُحَمَّدِ بْنِ زِيَادٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ خَطَبَنَا رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: «أَيُّهَا النَّاسُ قَدْ فَرَضَ اللهُ عَلَيْكُمُ الْحَجَّ، فَحُجُّوا». فَقَالَ رَجُلٌ: أَكُلَّ عَامٍ يَا رَسُولَ اللهِ؟ فَسَكَتَ، حَتَّى قَالَهَا ثَلاَثًا. فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لَوْ قُلْتُ

نَعَمْ لوَجَبَتْ وَلمَا اسْتَطعْتُمْ». ثَمَّ قَالَ: ذَرُونِي مَا تَرَكتُكمْ، فَإِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ بِكَثْرَةِ سُؤَالِهِمْ، وَاخْتِلاَفِهِمْ عَلَى أَنْبِيَائِهِمْ. فَإِذَا أَمَرْتُكُمْ بِشَىْءٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ، وَإِذَا نَهَيْتُكُمْ عَنْ شَىْءٍ فَدَعُوهُ.

Text Explanation

The man who asked the Prophet whether the hajj duty was to be fulfilled every year was al-Aqraʿ ibn Ḥābis, as his name is mentioned in other versions. Scholars of legal theory differ as to whether the order given in the terms the Prophet mentioned implies repetition or not. The correct view according to our scholars is that it does not. The other view, however, is that it does imply repetition. The third view is that implying more than once depends on clarification. Therefore, it cannot be said that it implies repetition or that it does not. The hadith may be cited as evidence in support of the view that a decision depends on clarification. The man asked whether it applied every year. Had the statement on its own implied repetition or not, the man would not have asked or the Prophet would have told him that there was no need for the question because its implication is clear. Others may say that the man put the question forward in order to be absolutely clear.

The Prophet said to his audience: ‘When I leave something, let it be’. This is clear that the order does not imply repetition. Al-Māwardī said:

> It is probable that he thought that it might imply repetition in another way. Linguistically speaking, hajj means going to a defined destination and includes repetition. Thus, the possibility of repetition might have occurred to him from the linguistic point of view, but not from the general order. What we have said about the linguistic sense is the basis relied upon by those who say that the ʿumrah is a duty. They say that from a linguistic point of view, the verse, “The hajj to this House is a duty owed to God by all people”, requires repeated travel to the House. It is unanimously agreed upon that the hajj itself is a duty only once, therefore the return to the House must be an ʿumrah because the basic religious rule is that it is visited only for the hajj or the ʿumrah.

The Prophet said to his questioner: ‘Had I said, “Yes”, it would have become a duty’. This provides evidence in support of the correct view that the Prophet could have made a ruling at his own discretion. It is not a

condition that his ruling should be on the basis of revelation given to him. Yet, some scholars say that this is a condition. These scholars explain this hadith on the basis that the Prophet might have received revelation to indicate what he expressed, but God knows best.

The Prophet says to his audience: ‘When I leave out something, let it be’. This confirms that the original state of anything is that it is not obligatory and that no ruling is valid until legislation has been enacted. This is the right rule according to the leading scholars of legal theory, or *uṣūl al-fiqh*. It is based on the Qur’anic statement: ‘We would never inflict punishment [on anyone] until We have sent a Messenger [to give warning]’. (17: 15)

In this hadith, the Prophet clearly states: ‘When I give you an order, fulfil it as best you can’. This is a very important Islamic rule and a clear example of the Prophet’s gift to be able to express a great idea in a very short statement. It covers a countless number of rulings, such as prayer and its numerous aspects. If a person is unable to do some of its essential obligations or conditions of validity, he is required to do only the rest. A person who cannot wash some parts of his body which must be washed during *wudu* or *ghusl*, washes only what he can. A person who has water that is sufficient to do only a part of his ablutions or to remove only a part of the impurity attached to his body or clothes, does only what is possible. If the removal of some wrongs or the payment of *Zakat al-Fiṭr* for one’s dependants is required and one can only do a part of this, one does only that part. A person who can only cover some aspect of his private parts that must be covered, covers what he can, and one who can memorize only a part of the Surah *al-Fātiḥah* [which must be recited in prayer] recites what he has memorized. There are countless other cases to which this rule of principle applies, and they are clearly stated in books of *Fiqh*. What is important is to realize that this basic rule is always applicable.

This hadith is consistent with what God says: ‘Remain God-fearing as best you can’. (64: 16) However, God says: ‘Believers! Fear God as you rightly should’. (3: 102) Scholars have two views on reconciling these two orders. The first is that the one in Surah 3 is abrogated by the verse in Surah 64 and the second view, which is the correct one, is that there is no abrogation in this instance, but the second verse in Surah 64 explains the

earlier one in Surah 3. They add that the ‘right way of fearing God is to do what He bids us and to refrain from what He has made forbidden. God does not command us to do anything other than what we are able to do. He says: “God does not charge a soul with more than it can bear”, (2: 286) and “God has laid no hardship on you in anything that pertains to religion”.’ (22: 78) But God knows best.

The Prophet also said: ‘If I prohibit you something, abandon it’. This applies generally, as it is expressed. If there is a valid reason to allow it, it becomes unprohibited in this case, as with eating carrion in circumstances of absolute necessity, drinking wine under compulsion, or saying that one is an unbeliever to escape great peril to one’s life.

The Muslim community is unanimous that hajj is obligatory once in one’s lifetime. This is the Islamic rule. However, it may become a duty to do it more than once if one makes a pledge, i.e., *nadhr*, to do so. The same applies if one needs to enter into the Ḥaram for a reason that does not occur frequently, such as paying a visit to someone or for some business. This applies only according to scholars who say that any such entry must be coupled with the *iḥrām* for hajj or ʿumrah. We discussed this point in the early chapters of this Book of Hajj, but God knows best.

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i. Related by al-Nasā’ī, 2618.

CHAPTER 74

A WOMAN MAY NOT TRAVEL ALONE

[2860–413]. (Dar al-Salam 3096) Zuhayr ibn Ḥarb and Muhammad ibn al-Muthannā narrated:[i] Yaḥyā (who is al-Qaṭṭān) narrated; from ʿUbaydullāh; Nāfiʿ reported to me; from Ibn ʿUmar; that God's Messenger (peace be upon him) said: **'A woman may not travel for three [nights] unless accompanied by a *maḥram*'.**

حَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ، وَمُحَمَّدُ بْنُ الْـمُثَنَّى، قَالا: حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ)، عَنْ عُبَيْدِ اللهِ، أَخْبَرَنِي نَافِعٌ، عَنِ ابْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لَا تُسَافِرِ الْـمَرْأَةُ ثَلَاثًا إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ».

[2861–000]. (Dar al-Salam 3097) Abu Bakr ibn Abi Shaybah narrated: ʿAbdullāh ibn Numayr and Abu Usāmah [H]. Also, Ibn Numayr narrated; my father narrated; all from ʿUbaydullāh; with the same chain of transmission.

In Abu Bakr's narration: **'over three [nights].'**

And Ibn Numayr says in his narration: **'three [days] unless accompanied by a *maḥram*'.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ اللهِ بْنُ نُمَيْرٍ، وَأَبُو أُسَامَةَ ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، جَمِيعًا عَنْ

عُبَيْدِ اللهِ، بِهَذَا الإِسْنَادِ.

فِي رِوَايَةِ أَبِي بَكْرٍ: فَوْقَ ثَلاَثٍ.

وَقَالَ ابْنُ نُمَيْرٍ فِي رِوَايَتِهِ عَنْ أَبِيهِ: «ثَلاَثَةً إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ».

[2862–414]. (Dar al-Salam 3098) Muhammad ibn Rāfiʿ narrated: Ibn Abi Fudayk narrated; al-Ḍaḥḥāk reported; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; from the Prophet (peace be upon him). He said: **‘It is not lawful for a woman who believes in God and the Last Day to travel the distance of three nights unless accompanied by a *maḥram*’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ رَافِعٍ، حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ، أَخْبَرَنَا الضَّحَّاكُ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ تُسَافِرُ مَسِيرَةَ ثَلاَثِ لَيَالٍ، إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ».

[2863–415]. (Dar al-Salam 3099) Qutaybah ibn Saʿīd and ʿUthmān ibn Abi Shaybah narrated; all from Jarīr; Qutaybah said: Jarīr narrated; from ʿAbd al-Malik (who is Ibn ʿUmayr); from Qazaʿah; from Abu Saʿīd. He said: **‘I heard a hadith from him which I liked’. He said: ‘Have you yourself heard this from God’s Messenger?’ I said: ‘Would I attribute to God’s Messenger something I did not hear from him? I heard him say it. God’s Messenger (peace be upon him) said: “Do not set out on a journey to any but three mosques: this mosque of mine, the**

Sacred Mosque and al-Aqṣā Mosque”. And I heard him say: “A woman may not travel for two days duration unless accompanied by one of her *maḥrams* or her husband”.’

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، وَعُثْمَانُ بْنُ أَبِي شَيْبَةَ، جَمِيعًا عَنْ جَرِيرٍ. قَالَ قُتَيْبَةُ حَدَّثَنَا جَرِيرٌ، عَنْ عَبْدِ الْـمَلِكِ (وَهُوَ ابْنُ عُمَيْرٍ)، عَنْ قَزَعَةَ، عَنْ أَبِي سَعِيدٍ، قَالَ: سَمِعْتُ مِنْهُ حَدِيثًا فَأَعْجَبَنِي، فَقُلْتُ لَهُ: أَنْتَ سَمِعْتَ هَذَا مِنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: فَأَقُولُ عَلَى رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَا لَمْ أَسْمَعْ؟ قَالَ سَمِعْتُهُ يَقُولُ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لا تَشُدُّوا الرِّحَالَ إِلاَّ إِلَى ثَلاَثَةِ مَسَاجِدَ: مَسْجِدِي هَذَا، وَالْـمَسْجِدِ ، وَالْـمَسْجِدِ الأَقْصَى». وَسَمِعْتُهُ يَقُولُ: «لا تُسَافِرِ الْـمَرْأَةُ يَوْمَيْنِ مِنَ الدَّهْرِ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ مِنْهَا، أَوْ زَوْجُهَا».

[2864–416]. (Dar al-Salam 3100) Muhammad ibn al-Muthannā narrated: Muhammad ibn Jaʿfar narrated; Shuʿbah narrated; from ʿAbd al-Malik ibn ʿUmayr. He said: I heard Qazaʿah say: I heard Abu Saʿīd al-Khudrī say: **‘I heard four words from God’s Messenger which I liked and was pleased with: he prohibited that a woman travels for two days distance unless accompanied by her husband or a *maḥram*…’. He added the remainder of the hadith.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الْـمَلِكِ بْنِ عُمَيْرٍ، قَالَ سَمِعْتُ قَزَعَةَ قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيَّ قَالَ: سَمِعْتُ مِنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَرْبَعًا، فَأَعْجَبْنَنِي وَآنَقْنَنِي:

نَهَى انْ تُسَافِرَ الـمَرْاةُ مَسِيرَةَ يَوْمَيْنِ إِلاَ وَمَعَهَا زَوْجُهَا أَوْ ذُو مَحْرَمٍ. وَاقْتَصَّ بَاقِيَ الْحَدِيثِ.

[2865–417]. (Dar al-Salam 3101) ʿUthmān ibn Abi Shaybah narrated; Jarīr narrated; from Mughīrah; from Ibrāhīm; from Sahm ibn Minjāb; from Qazaʿah; from Abu Saʿīd al-Khudrī. He said: **‘God’s Messenger (peace be upon him) said: “A woman may not travel for three days except with a *maḥram*”.’**

حَدَّثَنَا عُثْمَانُ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، عَنْ سَهْمِ بْنِ مِنْجَابٍ، عَنْ قَزَعَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لا تُسَافِرِ الْـمَرْأَةُ ثَلاَثًا إِلاَّ مَعَ ذِي مَحْرَمٍ».

[2866–418]. (Dar al-Salam 3102) Abu Ghassān al-Mismaʿī and Muhammad ibn Bashshār narrated to me; both from Muʿādh ibn Hishām; Abu Ghassān said: Muʿādh narrated; my father narrated to me; from Qatādah; from Qazaʿah; from Abu Saʿīd al-Khudrī; that the Prophet said: **‘A woman may not travel over three nights except with a *maḥram*’.**

وَحَدَّثَنِي أَبُو غَسَّانَ الْـمِسْمَعِيُّ، وَمُحَمَّدُ بْنُ بَشَّارٍ، جَمِيعًا عَنْ مُعَاذِ بْنِ هِشَامٍ. قَالَ أَبُو غَسَّانَ: حَدَّثَنَا مُعَاذٌ، حَدَّثَنِي أَبِي، عَنْ قَتَادَةَ، عَنْ قَزَعَةَ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ، أَنَّ نَبِيَّ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لا تُسَافِرِ امْرَأَةٌ فَوْقَ ثَلاَثِ لَيَالٍ إِلاَّ مَعَ ذِي مَحْرَمٍ».

[2867–000]. (Dar al-Salam 3103) Ibn al-Muthannā narrated: Ibn Abi ʿAdiy narrated; from Saʿīd; from Qatādah; with the same chain of transmission: **the same text, but he said: ‘more than three days except with a *maḥram*’.**

وَحَدَّثَنَاهُ ابْنُ الْـمُثَنَّى، حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، بِهَذَا الإِسْنَادِ. وَقَالَ: «أَكْثَرَ مِنْ ثَلاَثٍ إِلاَّ مَعَ ذِي مَحْرَمٍ».

[2868–419]. (Dar al-Salam 3104) Qutaybah ibn Saʿīd narrated:[ii] Layth narrated; from Saʿīd ibn Abi Saʿīd; from his father; that Abu Hurayrah said: **‘God’s Messenger (peace be upon him) said: “It is not lawful for a Muslim woman to travel the distance of one night’s journey unless accompanied by a man who is a *maḥram* to her”.’**

حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، حَدَّثَنَا لَيْثٌ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَبِيهِ، أَنَّ أَبَا هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لا يَحِلُّ لِامْرَأَةٍ مُسْلِمَةٍ تُسَافِرُ مَسِيرَةَ لَيْلَةٍ، إِلاَّ وَمَعَهَا رَجُلٌ ذُو حُرْمَةٍ مِنْهَا».

[2869–420]. (Dar al-Salam 3105) Zuhayr ibn Ḥarb narrated to me:[iii] Yaḥyā ibn Saʿīd narrated; from Ibn Abi Dhi’b; Saʿīd ibn Abi Saʿīd narrated; from his father; from Abu Hurayrah; from the Prophet (peace be upon him). He said: **‘It is not lawful for a woman who believes in God and the Last Day to travel the distance of a day’s journey unless in company with a *maḥram*’.**

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ أَبِي ذِئْبٍ، حَدَّثَنَا سَعِيدُ بْنُ أَبِي سَعِيدٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ تُسَافِرُ مَسِيرَةَ يَوْمٍ إِلاَّ مَعَ ذِي مَحْرَمٍ».

[2870–421]. (Dar al-Salam 3106) Yaḥyā ibn Yaḥyā narrated:[iv] he said: I read out to Mālik; from Saʿīd ibn Abu Saʿīd al-Maqburī; from his father; from Abu Hurayrah; that God’s Messenger (peace be upon him) said: **‘It is not lawful for a woman who believes in God and the Last Day to travel the distance of one day and night’s journey unless accompanied by one who is a *maḥram* to her’.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ الْـمَقْبُرِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «لا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ تُسَافِرُ مَسِيرَةَ يَوْمٍ وَلَيْلَةٍ إِلاَّ مَعَ ذِي مَحْرَمٍ عَلَيْهَا».

[2871–422]. (Dar al-Salam 3107) Abu Kāmil al-Jaḥdarī narrated; Bishr (meaning Ibn Mufaḍḍal) narrated; Suhayl ibn Abi Ṣāliḥ narrated; from his father; from Abu Hurayrah. He said: **‘God’s Messenger (peace be upon him) said: “It is not lawful for a woman to travel for three [days] except in the company of one who is a *maḥram* to her”.’**

حَدّثَنَا ابُو كَامِلٍ الجَحْدَرِيَّ، حَدّثَنَا بِشْرٌ (يَعْنِي إِبْنَ مُفَضَّلٍ)، حَدَّثَنَا سُهَيْلُ بْنُ أَبِي صَالِحٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «لا يَحِلُّ لِامْرَأَةٍ أَنْ تُسَافِرَ ثَلاَثًا إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ مِنْهَا».

[2872–423]. (Dar al-Salam 3108-3109) Abu Bakr ibn Abi Shaybah and Abu Kurayb narrated:[v] both from Abu Muʿāwiyah; Abu Kurayb said: Abu Muʿāwiyah narrated; from al-Aʿmash; from Abu Ṣāliḥ; from Abu Saʿīd al-Khudrī. He said: **‘God’s Messenger (peace be upon him) said: “It is not lawful for a woman who believes in God and the Last Day to travel on a journey that lasts three days or more unless accompanied by her father, her son, her husband, her brother or one who is a *maḥram* to her”.’**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو كُرَيْبٍ، جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ، قَالَ أَبُو كُرَيْبٍ: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ أَنْ تُسَافِرَ سَفَرًا يَكُونُ ثَلاَثَةَ أَيَّامٍ فَصَاعِدًا، إِلاَّ وَمَعَهَا أَبُوهَا أَوِ ابْنُهَا أَوْ زَوْجُهَا أَوْ أَخُوهَا، أَوْ ذُو مَحْرَمٍ مِنْهَا».

Abu Bakr ibn Abi Shaybah and Abu Saʿīd al-Ashajj narrated: both said: Wakīʿ narrated; al-Aʿmash narrated; with the same chain of transmission: **the same text.**

وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَأَبُو سَعِيدٍ الأَشَجُّ قَالا: حَدَّثَنَا وَكِيعٌ، حَدَّثَنَا الأَعْمَشُ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

[2873–424]. (Dar al-Salam 3110-3111) Abu Bakr ibn Abi Shaybah and Zuhayr ibn Ḥarb narrated:[vi] both from Sufyān; Abu Bakr said: Sufyān ibn ʿUyaynah narrated; ʿAmr ibn Dīnār narrated; from Abu Maʿbad. He said: I heard Ibn ʿAbbās say: **‘I heard the Prophet addressing us and saying: “Let no one be alone with a woman unless she is accompanied by a *maḥram*, and a woman may not travel except with a *maḥram*”. A man stood up and said: “Messenger of God, my wife set out to perform the hajj and I have enlisted to go on this expedition”. The Prophet said: “Go and do the hajj with your wife”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَزُهَيْرُ بْنُ حَرْبٍ، كِلاَهُمَا عَنْ سُفْيَانَ. قَالَ أَبُو بَكْرٍ حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ، عَنْ أَبِي مَعْبَدٍ، قَالَ سَمِعْتُ ابْنَ عَبَّاسٍ يَقُولُ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَخْطُبُ يَقُولُ: «لاَ يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ. وَلاَ تُسَافِرِ الْمَرْأَةُ إِلاَّ مَعَ ذِي مَحْرَمٍ». فَقَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ اللهِ إِنَّ امْرَأَتِي خَرَجَتْ حَاجَّةً، وَإِنِّي اكْتُتِبْتُ فِي غَزْوَةِ كَذَا وَكَذَا. قَالَ: «انْطَلِقْ فَحُجَّ مَعَ امْرَأَتِكَ».

Abu al-Rabīʿ al-Zahrānī narrated: Ḥammād narrated; from ʿAmr; with the same chain of transmission: **the same text.**

وَحَدَّثَنَاهُ أَبُو الرَّبِيعِ الزَّهْرَانِيُّ، حَدَّثَنَا حَمَّادٌ، عَنْ عَمْرٍو، بِهَذَا الإِسْنَادِ: نَحْوَهُ.

[2874–000]. (Dar al-Salam 3112) Ibn Abi ʿUmar narrated: Hishām (meaning Ibn Sulaymān) al-Makhzūmī narrated; from Ibn Jurayj;

with the same chain of transmission: **a similar text but did not mention: ‘Let no one be alone with a woman unless she is accompanied by a *maḥram*’.**

وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا هِشَامٌ (يَعْنِي ابْنَ سُلَيْمَانَ) الْـمَخْزُومِيُّ، عَنِ ابْنِ جُرَيْجٍ، بِهَذَا الإِسْنَادِ: نَحْوَهُ، وَلَمْ يَذْكُرْ: «لا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ».

Text Explanation

These hadiths speak of the prohibition of a woman travelling alone, with some hadiths speaking of a journey taking three days or more and some mentioning two days, while others specifying one night, or one day, or a day and night. And in hadith No. 2873: ‘A woman may not travel except with a *maḥram*’. In all these versions related by Muslim, and in a hadith related by Abu Dāwūd, the distance prohibiting a woman travelling alone is given as one *barīd*, which is equal to one half of one day travelling. Scholars say that the differences in these statements pertain to the differences of the people putting forth the questions and the variety of places. The fact that a woman’s travel of three days is prohibited does not imply a permissibility of her travelling alone the distance covered in one day and one night, or even half a day. Al-Bayhaqī said: ‘It seems that the Prophet (peace be upon him) was asked about a woman travelling for three days without a *maḥram* [i.e., a relative whom she is prohibited from marrying] and he said no. On another occasion he was asked about her travel for two days without a *maḥram* and he said no. And on yet a different occasion he was asked about her travel for one day and he said no. The same answer was given for half a day. Everyone who put forth the question reported what he heard. And if the same narrator gives different versions, then he must have heard these on different occasions and reported them at different times. All of these are authentic. Nothing in any of these defines the minimum travel, nor did the Prophet (peace be upon him) wish to set a minimum limit to what may be called travel’. Therefore, whatever is termed as travel, or a journey, whether taking one, two or three days or less than that, is not allowed for a woman unless she is accompanied by her husband or a close relative whom she may not marry. This is clearly indicated in the hadith narrated by Ibn ʿAbbās, which is the last in this chapter, as it says: ‘A woman may not travel except with a *maḥram*’. This applies to all that may be described as travel, but God knows best.

The Muslim community is unanimous that a woman must perform the obligatory hajj if she is able to do so because of the general Qur’anic statement: ‘Pilgrimage to this House is a duty owed to God by all people who are able to undertake it’, (3: 97) and the hadith in which the Prophet

says: ‘Islam is built on five pillars… and pilgrimage to the House’. (Related by al-Bukhari and Muslim)

The hajj is obligatory for a person ‘who is able to undertake it’. This condition of ability applies to women in the same way as it applies to men, but scholars differ as to whether a *maḥram* companion is a condition that must be met in the case of a woman. Abu Ḥanīfah makes it a condition that must be met to make a woman’s hajj obligatory. Excepted are women who live at a distance less than three stages [i.e., less than 125 kilometres] from Makkah. This is agreed upon by a number of scholars of Hadith and scholars who rely on logic, as well as al-Ḥasan al-Baṣrī and al-Nakhaʿī. On the other hand, ʿAṭā’, Saʿīd ibn Jubayr, Ibn Sīrīn, Mālik, al-Awzāʿī and al-Shāfiʿī (in his better-known view) say that the company of a *maḥram* is not a condition, but her security is a condition. Our scholars say that security is achieved if she is accompanied by her husband, a *maḥram* or a group of reliable women. According to our scholars, the hajj is not obligatory for a woman unless one of these three is available to her. If there is only one reliable woman, she may go with her, but it is not obligatory on her to do so. This is the correct view. However, some of our scholars say that the hajj is obligatory for a woman if she can travel with a group of women or with one other woman. Furthermore, security may be sufficiently high as to ensure a woman does not need a companion. In this context, she may travel alone, with a caravan, and be safe and secure. The first interpretation is the one which is best known of the recorded views of al-Shāfiʿī and scholars of his school.[vii]

Our scholars differ concerning a woman travelling to perform a voluntary hajj, or for some business or to pay a visit, etc. Some say that it is permissible for her to travel with a group of reliable women, in the same way as she may travel for her obligatory hajj. The majority of scholars, however, say that she may not undertake such journeys unless she is accompanied by her husband or a *maḥram*. This is the correct view in the light of the authentic hadiths on the matter.

Qadi ʿIyāḍ said:

> Scholars are in agreement that a woman may not undertake any travel, other than for the hajj or the ʿumrah, except in the company

> of a *maḥram* [or her husband]. The only exception is her migration from a non-Muslim country. Scholars agree that a Muslim woman is required to migrate to the land of Islam, even though she is not accompanied by a *maḥram*. The difference is that living in a non-Muslim country is forbidden if she cannot live as a Muslim and if she fears for her life or her faith.[viii] Delaying the hajj is different, and scholars hold different views on whether the hajj is an immediate obligation when a person is able to undertake it or if it is obligatory when convenient.

Qadi ʿIyāḍ also quotes al-Bājī who says that this applies to a young woman, while an elderly woman may travel as she pleases and she need not be accompanied by her husband or a *maḥram*. What al-Bājī expressed cannot be agreed with because a woman is often felt to be an easy target. Moreover, the road may bring together people who do not observe any rule of religion or morality, but God knows best.

Ḥanafī scholars cite the hadith that mentions three-day travel as a basis for their view that shortening prayers is only valid on a journey that amounts to three days. But this is erroneous. The hadiths give different narrations and versions which we explained. We also showed that ‘travel’ is used in reference to a journey lasting a day, half a day and even less. I refuted their argument and gave a full explanation of this confusion in the chapter I devoted to travellers’ prayers in my book *Sharḥ al-Muhadhdhab*, but God knows best.

The Prophet makes the condition of women’s travel very clear: ‘unless accompanied by a *maḥram*’. This provides evidence in support of the view of al-Shāfiʿī and the majority of scholars that all *maḥrams* are equally acceptable for this purpose. A woman may travel with her blood relatives whom she cannot marry i.e., her son, brother, nephew, maternal or paternal uncle and those who are similarly related to her through breastfeeding, such as her brother or nephew through breastfeeding. Likewise, she may travel with her *maḥrams* through marriage, such as her husband’s father or son. There is no discouragement in any of these cases. Likewise, she may be alone with any of these relatives, and they can look at her in the normal way, but none may look at her with desire. This view is shared by al-Shāfiʿī and the majority of scholars. Mālik agrees to all this but with the exception

of any stepson. He disapproves of a woman travelling with her stepson because people's morality declined after the first Islamic generation and because many people do not look at their stepmothers in the same way as they look at their *maḥram* relatives. Mālik adds that a woman excites temptation, except for what God has placed in people's nature and how they look at their blood relations who are *maḥrams*. However, the general meaning of this hadith contradicts what Mālik said, but God knows best.

It should be borne in mind that one's *maḥram* women, with whom one is allowed to be alone or travel with, refer to 'every woman whom he may not marry at any time in life for a legitimate reason and because of her relationship'. When we say 'at any time in life', we exclude one's wife's sisters, aunts and similar relatives. And when we say 'for a legitimate reason', we exclude the mother and daughter of a woman whose marriage is consummated despite the marriage contract being invalid. Such mother and daughter are forbidden for the man to marry at any time, but they are not *maḥrams*. Further, when we say 'because of her relationship' we exclude the case of *mulāʿinah* in which a woman is forbidden in marriage forever and for a legitimate reason, but she is not a *maḥram*.[ix] Her un-marriageability is part of punishment, but God knows best.

In hadith No. 2863 the Prophet says: 'Do not set out on a journey to any but three mosques: this mosque of mine, the Sacred Mosque and al-Aqṣā Mosque'. This highlights the merit and special status of these three mosques because they are mosques built and tended by prophets (peace be upon them all) and because prayer in these mosques earns greater reward. If a person makes a pledge, i.e., *nadhr*, to go to the Sacred Mosque in Makkah, he must go and perform the hajj or the ʿumrah. If he makes a pledge to go to either of the other two mosques, al-Shāfiʿī states two views. According to Shāfiʿī scholars, the more correct of these two views is that travelling to these two mosques is desirable, not obligatory. The other view, endorsed by many scholars, argues that it is a duty for such a person to fulfil his pledge.

As for other mosques, a pledge to visit them does not make such a visit a duty. Indeed, the pledge is not valid. This is our view and the view of all scholars, except Muhammad ibn Maslamah, a Mālikī scholar, who says that if a person pledges to visit the Qubā' Mosque, he must fulfil that pledge because the Prophet used to visit it every Saturday, sometimes riding and

sometimes walking. Al-Layth ibn Saʿd said: ‘A person making a pledge to visit a particular mosque must fulfil his pledge, whatever mosque it may be’. However, according to the view of the great majority of scholars, such a pledge is invalid and the one who makes it need not do anything, Ahmad, however, says that he must compensate for it as he compensates for an oath that he cannot fulfil.[x]

Scholars differ concerning travelling to places other than these three mosques, such as visiting the graves of pious people and places of distinction. Shaykh Abu Muhammad ʿAbdullāh ibn Yūsuf al-Juwaynī, Imām al-Ḥaramayn’s father and a Shāfiʿī scholar, said it is forbidden. However, the correct view of our scholars, which is preferred by Imām al-Ḥaramayn and other leading scholars is that it is neither forbidden nor discouraged. According to these scholars, what the hadith means is that these three mosques are the best and they are the ones to visit and travel to, but God knows best.

In hadith No. 2873 the Prophet says: ‘Let no one be alone with a woman unless she is accompanied by a *maḥram*, and a woman may not travel except with a *maḥram*’. This may mean a *maḥram* of hers, or of either of them. This second possibility is consistent with the rules established by scholars of Fiqh. There is no difference between the presence of a *maḥram* of hers, such as her son, brother, mother or sister, and the presence of a *maḥram* of his, such as his sister, daughter or aunt. In any such company, it is perfectly permissible to sit with a woman. Moreover, the hadith also specifically refers to her husband. If he is with the woman, it is permissible to sit with her. If a man and a woman who are totally unrelated to each other are in an enclosed place, with no one else, this is forbidden according to all scholars. The same applies if there is only a young child who is two or three years of age. It is also forbidden for several men to be with one woman in an enclosed place, while a meeting of one man with several women is permissible. I explained this question in *Sharḥ al-Muhadhdhab*, in the chapter on the qualities of imams, at the beginning of the Book of Hajj.

The preferred view is that to be alone with a beardless handsome youth has the same ruling as being alone with a woman, unless one is with other men of integrity. Our scholars say that any private meeting we mentioned as forbidden earns this status generally, whether in prayer or in any other

situation. Excepted from all this are situations of necessity. If a man finds a woman alone along a route and she needs to reach a distant place, it is permissible for him to accompany her to her place of safety. Indeed, it becomes his duty to do so if he fears for her welfare should he leave her alone. There is no disagreement on this point. This is demonstrated in the case of ʿĀ'ishah when she was left alone and then found by Ṣafwān, who led her camel until they joined the departing army, but God knows best.

The same hadith adds that a man stood up and said: 'Messenger of God, my wife set out to perform the hajj and I have enlisted to go on this expedition'. The Prophet said: 'Go and do the hajj with your wife'. This makes clear that when different matters pull in different directions, the more important is given priority. The man's joining the expedition was set against accompanying his wife on her hajj. Therefore, the Prophet told him to join his wife. Someone else might be able to replace him on the expedition, while his wife needed him to be with her.

Transmission

The chain of transmission of hadith No. 2870 runs as follows: ‘Yaḥyā ibn Yaḥyā narrated: he said: I read out to Mālik; from Saʿīd ibn Abu Saʿīd al-Maqburī; from his father; from Abu Hurayrah; from the Prophet’. This is how the hadith occurs in the copies of Muslim’s *Ṣaḥīḥ* in our areas, with Saʿīd reporting from his father. *Qadi* ʿIyāḍ said:

> This is also how it occurs in the copies taken from al-Julūdī, Abu al-ʿAlā’ and al-Kisā’ī. Muslim gives the same in the chain of transmission of hadith No. 2868: ‘Layth from Saʿīd from his father’. Both al-Bukhari and Muslim also give the hadith as narrated from Ibn Abi Dhi’b, from Saʿīd, from his father. Al-Dāraquṭnī questions their reporting it from Ibn Abi Dhi’b and questions Muslim for relating it ‘from al-Layth, from Saʿīd, from his father’. Al-Dāraquṭnī said: ‘The correct transmission is from Saʿīd, from Abu Hurayrah, without mentioning his father’. He further adds that Mālik, Yaḥyā ibn Abi Kathīr and Suhayl said: ‘from Saʿīd al-Maqburī. from Abu Hurayrah’, without mentioning Saʿīd’s father. The correct reporting from Muslim in this hadith is ‘from Yaḥyā ibn Yaḥyā, from Mālik, from Saʿīd, from Abu Hurayrah’ without adding Saʿīd’s father. This is how Abu Masʿūd al-Dimashqī narrates it, as do the majority of those who narrate *al-Muwaṭṭa’* from Mālik. Al-Dāraquṭnī adds that al-Zahrānī and al-Qarawī report it from Mālik, with Saʿīd narrating from his father.

In *al-Aṭrāf*, Khalaf al-Wāsiṭī mentions that Muslim relates the hadith from Yaḥyā ibn Yaḥyā, from Mālik, from Saʿīd, from his father, from Abu Hurayrah. The same is done by Abu Dāwūd in the Book of Hajj in his *Sunan* anthology. On the other hand, al-Tirmidhī narrates in the Book of Marriage: ‘from al-Ḥasan ibn ʿAlī, from Bishr ibn ʿUmar, from Mālik, from Saʿīd, from his father, from Abu Hurayrah’, adding that it is an authentic hadith. Further, Abu Dāwūd relates it in the Book of Hajj ‘from al-Qaʿnabī and al-ʿAlā’, from Mālik, from Yūsuf ibn Mūsā, from Jarīr, both from Suhayl, from Saʿīd, from Abu Hurayrah’. There is a clear difference

between narrators with regard to the mention of Saʿīd's father. It may be that he heard it from his father, from Abu Hurayrah, and then heard it directly from Abu Hurayrah. He then narrated it in one way on some occasions and in another way on other occasions. It is well known that Saʿīd listened directly to Abu Hurayrah narrating hadiths, but God knows best.

Hadith No. 2874 says: 'Ibn Abi ʿUmar narrated: Hishām (meaning Ibn Sulaymān) al-Makhzūmī narrated; from Ibn Jurayj; with the same chain of transmission: a similar text but did not mention: "Let no one be alone with a woman unless she is accompanied by a *maḥram*".' This is the last hadith in the section that was missed by Abu Isḥāq Ibrāhīm ibn Sufyān. He did not hear this section from Imam Muslim, starting from the hadiths where the Prophet prays for those who shave their heads or shorten their hair when they release themselves from consecration. From this point, Ibrāhīm ibn Sufyān says: 'Muslim ibn al-Ḥajjāj narrated: he said: Ḥārūn ibn ʿAbdullāh narrated to me…'. This is the first hadith in the next chapter.

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i. Related by al-Bukhari, 1087; Abu Dāwūd, 1727.
ii. Related by Abu Dāwūd, 1723.
iii. Related by al-Bukhari, 1088.
iv. Related by Abu Dāwūd, 1724; al-Tirmidhī, 1170.
v. Related by Abu Dāwūd, 1726; al-Tirmidhī, 1169; Ibn Mājah, 2898.
vi. Related by al-Bukhari, 1826, 3006, 5233.
vii. All this discussion of travel and how a woman may journey should be put in the context of the time and the means of transport available. Al-Nawawī wrote his commentary nearly eight centuries ago. Ever since the advent of Islam and for many generations after al-Nawawī's time, a full day's travel only covered a distance that we cover today in one or two hours, depending on road conditions. Moreover, we travel by plane, train and coach and security in all these is ensured by the sheer number and mix of passengers and staff. A person travelling alone by car is less secure and less safe. Therefore, scholars need to look at

these hadiths and the modes of travel available to people before they can give their rulings.

viii. Again, this needs to be taken in context. Nowadays, Muslims live in better security and greater safety in most European and American countries than in many Muslim countries ruled by dictators.

ix. This is the case of mutual self-cursing in which a man accuses his wife of adultery but has no witnesses. He swears five oaths that he is telling the truth. If she also swears five oaths that his accusation is false, their marriage is permanently dissolved and they cannot reinstate their marriage at any time, but they are not *maḥram* to each other.

x. Compensation for an oath is to feed ten poor people, or to give them clothes, or to fast three days if one cannot afford the first two. This is stated in verse 5: 89.

CHAPTER 75

WHAT TO SAY AT THE START OF TRAVEL

[2875–425]. (Dar al-Salam 3113) Ḥārūn ibn ʿAbdullāh narrated to me:[i] Ḥajjāj ibn Muhammad narrated; he said: Ibn Jurayj said: Abu al-Zubayr reported to me; that ʿAlī al-Azdī reported to him; that Ibn ʿUmar taught them; that **‘When God’s Messenger (peace be upon him) mounted his camel, setting out on a journey, he would glorify God three times, then say: “Limitless in His glory is He who has made all this subservient to our use. We could not have done it by ourselves. To our Lord we shall most certainly return. (43: 13-14) Our Lord, we appeal to You to keep us in this journey of ours on the way of righteousness and piety and to enable us to do the type of action You will be pleased with. Our Lord, facilitate this journey for us and let its far destination be close. Our Lord, You are the companion in travel and the One to take care of [our] families. My Lord, I seek refuge with You from the hardship of travel, unpleasant sights and a bad return to property and family”. When he set out on his return journey, he would say the same and add: “We are returning, repenting our sins, sincere in worship and in full praise of our Lord”.’**

حَدَّثَنِي هَارُونُ بْنُ عَبْدِ اللهِ، حَدَّثَنَا حَجَّاجُ بْنُ مُحَمَّدٍ، قَالَ: قَالَ ابْنُ جُرَيْجٍ، أَخْبَرَنِي أَبُو الزُّبَيْرِ، أَنَّ عَلِيًّا الأَزْدِيَّ، أَخْبَرَهُ أَنَّ ابْنَ عُمَرَ عَلَّمَهُمْ أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا اسْتَوَى عَلَى بَعِيرِهِ، خَارِجًا إِلَى سَفَرٍ، كَبَّرَ ثَلاَثًا، ثُمَّ قَالَ: «سُبْحَانَ الَّذِي سَخَّرَ لَنَا هَذَا، وَمَا كُنَّا لَهُ مُقْرِنِينَ. وَإِنَّا إِلَى رَبِّنَا لَمُنْقَلِبُونَ. اللَّهُمَّ إِنَّا نَسْأَلُكَ فِي سَفَرِنَا هَذَا الْبِرَّ وَالتَّقْوَى، وَمِنَ الْعَمَلِ مَا تَرْضَى. اللَّهُمَّ هَوِّنْ عَلَيْنَا سَفَرَنَا هَذَا وَاطْوِ عَنَّا بُعْدَهُ. اللَّهُمَّ أَنْتَ الصَّاحِبُ فِي السَّفَرِ، وَالْخَلِيفَةُ فِي الأَهْلِ. اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ وَعْثَاءِ السَّفَرِ، وَكَآبَةِ الْـمَنْظَرِ، وَسُوءِ الْـمُنْقَلَبِ فِي الْـمَالِ وَالأَهْلِ». وَإِذَا رَجَعَ قَالَهُنَّ، وَزَادَ فِيهِنَّ: «آيِبُونَ، تَائِبُونَ، عَابِدُونَ، لِرَبِّنَا حَامِدُونَ».

[2876–426]. (Dar al-Salam 3114) Zuhayr ibn Ḥarb narrated to me:[ii] Ismāʿīl ibn ʿUlayyah narrated; from ʿĀṣim al-Aḥwal; from ʿAbdullāh ibn Sarjis. He said: **‘When God’s Messenger started out on travel, he would seek refuge with God from the hardship of travel, an unpleasant return, decrease after being whole, prayer by a wronged person and an unpleasant sight of family and property’.**

حَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ عَاصِمٍ الأَحْوَلِ، عَنْ عَبْدِ اللهِ بْنِ سَرْجِسَ، قَالَ: كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ إِذَا سَافَرَ يَتَعَوَّذُ مِنْ وَعْثَاءِ السَّفَرِ، وَكَآبَةِ الْـمُنْقَلَبِ، وَالْحَوْرِ بَعْدَ الْكَوْرِ، وَدَعْوَةِ الْـمَظْلُومِ، وَسُوءِ الْـمَنْظَرِ فِي الأَهْلِ وَالْـمَالِ.

[2877–427]. (Dar al-Salam 3115) Yaḥyā ibn Yaḥyā and Zuhayr ibn Ḥarb narrated: both from Abu Muʿāwiyah [H]. Also, Ḥāmid ibn ʿUmar narrated to me; ʿAbd al-Wāḥid narrated; both from ʿĀṣim; with the same chain of transmission: **the same text, except that in ʿAbd al-Wāḥid's narration it occurs: 'of property and family', and in Muhammad ibn Khāzim's narration, he said: 'On his return journey, he mentioned family first'. In both narrations: 'My Lord, I seek refuge with You from the hardship of travel'.**

وَحَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَزُهَيْرُ بْنُ حَرْبٍ، جَمِيعًا عَنْ أَبِي مُعَاوِيَةَ، ح. وَحَدَّثَنِي حَامِدُ بْنُ عُمَرَ، حَدَّثَنَا عَبْدُ الْوَاحِدِ، كِلاَهُمَا عَنْ عَاصِمٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ. غَيْرَ أَنَّ فِي حَدِيثِ عَبْدِ الْوَاحِدِ: فِي الْمَالِ وَالأَهْلِ. وَفِي رِوَايَةِ مُحَمَّدِ بْنِ خَازِمٍ قَالَ: يَبْدَأُ بِالأَهْلِ إِذَا رَجَعَ. وَفِي رِوَايَتِهِمَا جَمِيعًا: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ وَعْثَاءِ السَّفَرِ».

Text Explanation

The first hadith in this chapter gives the details of the supplication the Prophet used to say when he mounted his camel to start a journey. This means that it is recommended to say this supplication whenever one starts a journey. There are many supplications and glorifications that are recommended to say when travelling, and I have included all these in my book *al-Adhkār*. In this supplication, the Prophet seeks refuge with God from the hardship of travel, which means any difficulty that a traveller may meet on the journey. Refuge with God is also sought from 'unpleasant sights' which may cause a feeling of sorrow or displeasure. In hadith No. 2876 the Prophet also prays for God's refuge from 'decrease after being whole'. The Arabic word *kawn* is rendered here as 'being whole'. This is how the word occurs in most, or perhaps all, copies in our areas, with the letter 'n' at the end. Indeed, it is how accurate scholars report it. *Qadi* ʿIyāḍ says the same about narrations of Muslim's *Ṣaḥīḥ* by al-Fārisī and others, but Ibrāhīm al-Ḥarbī questions this and says that the correct pronunciation of the word replaces the 'n' at the end with 'r' to make the word *kawr*, which means 'increase'. This makes the supplication a request of refuge from 'decrease after an increase'.

The fact is that al-Ḥarbī is wrong. The hadith is narrated in both ways. Al-Tirmidhī mentions both narrations in his *Sunan*, as do a large number of Hadith scholars, and both versions are also mentioned by Abu ʿUbayd, a large number of scholars of Arabic and those who study what is unfamiliar in hadiths. Following his relating of the hadith with *kawn*, al-Tirmidhī says: 'It is also narrated as *kawr*, and both versions are sound. It is said that it means a return from belief to unbelief, or from obedience to disobedience. This means going back from something to what is worse'. Scholars other than al-Tirmidhī have said that in both versions it means a reversal from a sound or plentiful situation to a decrease. Imam al-Māzarī said that the version using *kawr* means abandoning the community after being part of it. He adds that some scholars said that it is an appeal to keep our affairs sound and ensure that they remain so. ʿĀṣim was asked about the meaning of the other version, using *kawn*, and he said: 'It is taken from a description of one whose affairs were good and sound but suffered a reversal'.

The Prophet includes in his supplication seeking God's refuge 'against a prayer by a wronged person'. This is a supplication to protect oneself from dealing unjustly with anyone because it invites a prayer for God's help against the perpetrator of injustice. Such a prayer goes straight to God, with no barriers stopping it. Thus, the hadith warns against causing injustice to anyone.

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i. Related by Abu Dāwūd, 2599; al-Tirmidhī, 3447.

ii. Related by al-Tirmidhī in a longer version, 3439; al-Nasā'ī, 5513, 5514, 5515; Ibn Mājah, 3888.

CHAPTER 76

ON RETURNING FROM HAJJ OR OTHER JOURNEYS

[2878–428]. (Dar al-Salam 3116) Abu Bakr ibn Abi Shaybah narrated: Abu Usāmah narrated: ʿUbaydullāh narrated; from Nāfiʿ; from Ibn ʿUmar [H]. Also, ʿUbydullāh ibn Saʿīd narrated (his text); Yaḥyā (who is al-Qaṭṭān) narrated; from ʿUbaydullāh; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar. He said: **‘When God’s Messenger (peace be upon him) returned from a military expedition, or the hajj, or the ʿumrah, he would glorify God three times whenever he went up a mountain path or high ground. Then he would say: “There is no deity other than God, the One who has no partner. To Him belongs all dominion and to Him all praise is due. He is able to do all things. We are returning, repenting our sins, sincere in worship, prostrating ourselves and in full praise of our Lord. God has fulfilled His promise, given support to His servant and alone defeated the confederates”.’**

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا أَبُو أُسَامَةَ، حَدَّثَنَا عُبَيْدُ اللهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، ح. وَحَدَّثَنَا عُبَيْدُ اللهِ بْنُ سَعِيدٍ (وَاللَّفْظُ لَهُ)، حَدَّثَنَا يَحْيَى (وَهُوَ الْقَطَّانُ)، عَنْ عُبَيْدِ اللهِ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، قَالَ: كَانَ رَسُولُ اللهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا قَفَلَ مِنَ الْجُيُوشِ، أَوِ

السَّرَايَا او الحَجِّ اوِ العُمْرَةِ، إِذَا اوْفَى عَلى ثَنِيّةٍ، اوْ فَدْفَدٍ، كَبَّرَ ثَلاَثًا ثُمَّ قَالَ: «لا إِلَهَ إِلاَّ اللهُ وَحْدَهُ لاَ شَرِيكَ لَهُ. لَهُ الْـمُلْكُ وَلَهُ الْحَمْدُ وَهُوَ عَلَى كُلِّ شَىْءٍ قَدِيرٌ. آيِبُونَ، تَائِبُونَ، عَابِدُونَ، سَاجِدُونَ، لِرَبِّنَا حَامِدُونَ. صَدَقَ اللهُ وَعْدَهُ، وَنَصَرَ عَبْدَهُ، وَهَزَمَ الأَحْزَابَ وَحْدَهُ».

[2879–000]. (Dar al-Salam 3117) Zuhayr ibn Ḥarb narrated to me:[i] Ismāʿīl (meaning Ibn ʿUlayyah) narrated; from Ayyūb [H]. Also, Ibn Abi ʿUmar narrated; Maʿn narrated; from Mālik [H]. And Ibn Rāfiʿ narrated; Ibn Abi Fudayk narrated; al-Ḍaḥḥāk reported; all of them from Nāfiʿ; from Ibn ʿUmar; from the Prophet: **the same text, except for Ayyūb's narration which mentions God's glorification twice only.**

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْمَاعِيلُ (يَعْنِي ابْنَ عُلَيَّةَ)، عَنْ أَيُّوبَ، ح. وَحَدَّثَنَا ابْنُ أَبِي عُمَرَ، حَدَّثَنَا مَعْنٌ، عَنْ مَالِكٍ، ح. وَحَدَّثَنَا ابْنُ رَافِعٍ، حَدَّثَنَا ابْنُ أَبِي فُدَيْكٍ، أَخْبَرَنَا الضَّحَّاكُ، كُلُّهُمْ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: بِمِثْلِهِ، إِلاَّ حَدِيثَ أَيُّوبَ فَإِنَّ فِيهِ التَّكْبِيرَ مَرَّتَيْنِ.

[2880–429]. (Dar al-Salam 3118-3119) Zuhayr ibn Ḥarb narrated to me:[ii] Ismāʿīl ibn ʿUlayyah narrated; from Yaḥyā ibn Abi Isḥāq; he said: Anas ibn Mālik said: **'We came back with the Prophet – Abu Ṭaḥah and myself, and Ṣafiyyah behind him on his she-camel. When we approached Madinah, he said: "We are returning, repenting our sins, sincere in worship and in full**

praise of our Lord”. He continued to say these words until we reached Madinah’.

وَحَدَّثَنِي زُهَيْرُ بْنُ حَرْبٍ، حَدَّثَنَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ يَحْيَى بْنِ أَبِي إِسْحَاقَ، قَالَ: قَالَ أَنَسُ بْنُ مَالِكٍ: أَقْبَلْنَا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، أَنَا وَأَبُو طَلْحَةَ، وَصَفِيَّةُ رَدِيفَتُهُ عَلَى نَاقَتِهِ. حَتَّى إِذَا كُنَّا بِظَهْرِ الْـمَدِينَةِ قَالَ: «آيِبُونَ، تَائِبُونَ، عَابِدُونَ، لِرَبِّنَا حَامِدُونَ». فَلَمْ يَزَلْ يَقُولُ ذَلِكَ حَتَّى قَدِمْنَا الْـمَدِينَةَ.

Ḥumayd ibn Masʿadah narrated: Bishr ibn al-Mufaḍḍal narrated; Yaḥyā ibn Abi Isḥāq narrated; from Anas ibn Mālik; from the Prophet: **the same text.**

وَحَدَّثَنَا حُمَيْدُ بْنُ مَسْعَدَةَ، حَدَّثَنَا بِشْرُ بْنُ الْـمُفَضَّلِ، حَدَّثَنَا يَحْيَى بْنُ أَبِي إِسْحَاقَ، عَنْ أَنَسِ بْنِ مَالِكٍ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: بِمِثْلِهِ.

Text Explanation

These hadiths mention the supplications that the Prophet used to say as he returned from his journeys, whether they were for military purposes or religious ones, such as the hajj or ʿumrah. They are the same as the ones he stated when commencing his travels, adding a praise of God for a safe return.

In hadith No. 2878 the Prophet adds: ‘God has fulfilled His promise, given support to His servant and alone defeated the confederates’. This refers to God’s promise to make Islam triumphant and give the ultimate victory to the believers, as well as His other promises. God never fails to fulfil His promise. The Prophet adds that God ‘defeated the confederates alone’, meaning that He caused their defeat without recourse to any fighting by human beings. This refers to the Arab and Jewish tribes that forged an alliance and pledged to fight the Prophet and the Muslim community until they had exterminated them all. This is known as the Encounter of the Moat. God sent against them a storm wind and other troops which the Muslims did not see. Thus, the Prophet’s words, ‘God has fulfilled His promise’, refutes the claims of the hypocrites who said, as the Muslims were digging the moat to prevent the attackers from entering Madinah, ‘God and His Messenger promised us nothing but delusions’. (33: 12)

This is the well-known view which confirms that the Prophet’s mention of the confederates refers to those confederates who grouped together in an attempt to attack Madinah. *Qadi* ʿIyāḍ said: ‘It is also said that he probably meant all groups of unbelievers in all places and situations’, but God knows best.

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i. Related by al-Bukhari, 1797, 6385; Abu Dāwūd, 2770; al-Tirmidhī, 950.

ii. Related by al-Bukhari in longer versions, 3085, 3086, 5968, 6185.

CHAPTER 77

STOPPING AT DHUL-ḤULAYFAH ON THE RETURN JOURNEY

[2881–430]. (Dar al-Salam 3120) Yaḥyā ibn Yaḥyā narrated:[i] he said: I read out to Mālik; from Nāfiʿ; from ʿAbdullāh ibn ʿUmar; that **‘God’s Messenger (peace be upon him) stopped at al-Baṭḥā’, which is at Dhul-Ḥulayfah, and prayed there. ʿAbdullāh ibn ʿUmar used to do the same’.**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنَاخَ بِالْبَطْحَاءِ الَّتِي بِذِي الْحُلَيْفَةِ، فَصَلَّى بِهَا. وَكَانَ عَبْدُ اللهِ بْنُ عُمَرَ يَفْعَلُ ذَلِكَ.

[2882–431]. (Dar al-Salam 3121) Muhammad ibn Rumḥ ibn al-Muhājir al-Miṣrī narrated to me; al-Layth reported [H]. Also, Qutaybah narrated (his text); he said: Layth narrated; from Nāfiʿ. He said: **‘Ibn ʿUmar used to stop at al-Baṭḥā’, which is at Dhul-Ḥulayfah, where God’s Messenger (peace be upon him) used to stop, and he used to pray there’.**

وَحَدَّثَنِي مُحَمَّدُ بْنُ رُمْحِ بْنِ الْمُهَاجِرِ الْمِصْرِيُّ، أَخْبَرَنَا اللَّيْثُ، ح. وَحَدَّثَنَا قُتَيْبَةُ (وَاللَّفْظُ لَهُ)، قَالَ حَدَّثَنَا لَيْثٌ،

عَنْ نَافِعٍ قَالَ: كَانَ ابْنُ عُمَرَ يُنِيخُ بِالبَطحَاءِ التِي بِذِي الْحُلَيْفَةِ الَّتِي كَانَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُنِيخُ بِهَا، وَيُصَلِّي بِهَا.

[2883–432]. (Dar al-Salam 3122) Muhammad ibn Isḥāq al-Musayyabī narrated:[ii] Anas (meaning Abu Ḍamrah) narrated to me; from Mūsā ibn ʿUqbah; from Nāfiʿ; that **‘When ʿAbdullāh ibn ʿUmar returned from the hajj or ʿumrah, he would stop at al-Baṭḥā’, which is at Dhul-Ḥulayfah, where God’s Messenger (peace be upon him) used to stop’.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ الْـمُسَيَّبِيُّ، حَدَّثَنِي أَنَسٌ (يَعْنِي أَبَا ضَمْرَةَ)، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ، كَانَ إِذَا صَدَرَ مِنَ الْحَجِّ أَوِ الْعُمْرَةِ، أَنَاخَ بِالْبَطْحَاءِ الَّتِي بِذِي الْحُلَيْفَةِ، الَّتِي كَانَ يُنِيخُ بِهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ.

[2884–433]. (Dar al-Salam 3123) Muhammad ibn ʿAbbād narrated:[iii] Ḥātim (who is Ibn Ismāʿīl) narrated; from Mūsā (who is Ibn ʿUqbah); from Sālim; from his father; that **‘God’s Messenger (peace be upon him) was visited at the place where he stopped at Dhul-Ḥulayfah and was told: “You are at a blessed Baṭḥā”’.’**

وَحَدَّثَنَا مُحَمَّدُ بْنُ عَبَّادٍ، حَدَّثَنَا حَاتِمٌ (وَهُوَ ابْنُ إِسْمَاعِيلَ)، عَنْ مُوسَى (وَهُوَ ابْنُ عُقْبَةَ)، عَنْ سَالِمٍ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أُتِيَ فِي مُعَرَّسِهِ بِذِي الْحُلَيْفَةِ، فَقِيلَ لَهُ إِنَّكَ بِبَطْحَاءَ مُبَارَكَةٍ.

[2885–434]. (Dar al-Salam 3124) Muhammad ibn Bakkār ibn al-Rayyān and Surayj ibn Yūnus narrated (Surayj's text); both said: Ismāʿīl ibn Jaʿfar narrated; Mūsā ibn ʿUqbah reported to me; from Sālim ibn ʿAbdullāh ibn ʿUmar; from his father; that **'When he was at the place where he stopped at Dhul-Ḥulayfah in the middle of the valley, the Prophet (peace be upon him) was visited and told: "You are at a blessed Baṭḥā'".**

Mūsā said: **'Sālim stopped us at the stopping place near the mosque where ʿAbdullāh used to stop, trying to make sure of the spot where God's Messenger stopped. It is at the bottom of the mosque, which is in the middle of the valley, between it and the *qiblah*, midway between them'.**

وَحَدَّثَنَا مُحَمَّدُ بْنُ بَكَّارِ بْنِ الرَّيَّانِ، وَسُرَيْجُ بْنُ يُونُسَ (وَاللَّفْظُ لِسُرَيْجٍ)، قَالَا: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، أَخْبَرَنِي مُوسَى بْنُ عُقْبَةَ، عَنْ سَالِمِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أُتِيَ وَهُوَ فِي مُعَرَّسِهِ مِنْ ذِي الْحُلَيْفَةِ فِي بَطْنِ الْوَادِي، فَقِيلَ: إِنَّكَ بِبَطْحَاءَ مُبَارَكَةٍ.

قَالَ مُوسَى: وَقَدْ أَنَاخَ بِنَا سَالِمٌ بِالْمُنَاخِ مِنَ الْمَسْجِدِ الَّذِي كَانَ عَبْدُ اللهِ يُنِيخُ بِهِ، يَتَحَرَّى مُعَرَّسَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَهُوَ أَسْفَلُ مِنَ الْمَسْجِدِ الَّذِي بِبَطْنِ الْوَادِي، بَيْنَهُ وَبَيْنَ الْقِبْلَةِ وَسَطًا مِنْ ذَلِكَ.

Text Explanation

These hadiths speak of the Prophet's practice of stopping on his return journey at Dhul-Ḥulayfah, which is a few kilometres from Madinah. The hadiths use the word ʿ*arrasa*, which means stopping, but Abu Zayd says that it refers to a stop at any time of the night or day, while al-Khalīl and al-Aṣmaʿī say that it refers to stopping late at night. *Qadi* ʿIyāḍ said:

> Stopping at al-Baṭḥā' at Dhul-Ḥulayfah on returning from the hajj is not part of the hajj rituals. People from Madinah used to do it seeking the blessing of following the Prophet's practice and because it is a blessed Baṭḥā'. Mālik considers it desirable to stop there and pray. Mālik recommends that one should not leave the place until one has prayed there. If one stops at a time when voluntary prayer is discouraged, one stays until it is right to pray. However, it is also said that the Prophet stopped there on his return, waiting for the morning, so that his Companions do not surprise their families by arriving during the night. Some well-known hadiths make it clear that this should not be done.

But, God knows best.

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i. Related by al-Bukhari, 1532; Abu Dāwūd, 2044; al-Nasā'ī, 2660.

ii. Related by al-Bukhari in a longer version, 1767.

iii. Related by al-Bukhari in longer versions 1535, 2336, 7345; al-Nasā'ī, 2659.

CHAPTER 78

NO UNBELIEVERS OR NAKED PEOPLE ALLOWED AT THE KAʿBAH

[2886–435]. (Dar al-Salam 3125) Ḥārūn ibn Saʿīd al-Aylī nar-rated to me:[i] Ibn Wahb narrated; ʿAmr reported to me; from Ibn Shihāb; from Ḥumayd ibn ʿAbd al-Raḥmān; from Abu Hurayrah [H]. Also, Ḥarmalah ibn Yaḥyā al-Tujībī narrated to me; Ibn Wahb reported; Yūnus reported to me; that Ibn Shihāb reported to him; from Ḥumayd ibn ʿAbd al-Raḥmān ibn ʿAwf; from Abu Hurayrah. He said: **‘Abu Bakr al-Ṣiddīq sent me during the hajj when he was appointed the leader by God’s Messenger, before the Farewell Pilgrimage, with a group of people to announce to people on the Day of Sacrifice that: “No unbeliever shall be allowed at the hajj after this year, and no person may perform the *ṭawāf* in the nude”.’**

Ibn Shihāb said: **‘Ḥumayd ibn ʿAbd al-Raḥmān used to say that the grand day of the hajj is the Day of Sacrifice, based on Abu Hurayrah’s hadith’.**

حَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، حَدَّثَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي عَمْرٌو، عَنِ ابْنِ شِهَابٍ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ، ح. وَحَدَّثَنِي حَرْمَلَةُ بْنُ يَحْيَى التُّجِيبِيُّ، أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي يُونُسُ، أَنَّ ابْنَ شِهَابٍ أَخْبَرَهُ، عَنْ

حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: بَعَثَنِي أَبُو بَكْرٍ الصِّدِّيقُ فِي الْحَجَّةِ الَّتِي أَمَّرَهُ عَلَيْهَا رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، قَبْلَ حَجَّةِ الْوَدَاعِ، فِي رَهْطٍ يُؤَذِّنُونَ فِي النَّاسِ يَوْمَ النَّحْرِ: لاَ يَحُجُّ بَعْدَ الْعَامِ مُشْرِكٌ، وَلاَ يَطُوفُ بِالْبَيْتِ عُرْيَانٌ.

قَالَ ابْنُ شِهَابٍ فَكَانَ حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ يَقُولُ: يَوْمُ النَّحْرِ يَوْمُ الْحَجِّ الأَكْبَرِ. مِنْ أَجْلِ حَدِيثِ أَبِي هُرَيْرَةَ.

Text Explanation

This hadith sets certain rules concerning the Ḥaram area and the Kaʿbah. At the end of the hadith Ibn Shihāb mentions that Ḥumayd ibn ʿAbd al-Raḥmān said that the Day of Sacrifice is the grand day of the hajj. This refers to the Qur'anic verse that says: 'And a proclamation from God and His Messenger is hereby made to all mankind on this grand day of the pilgrimage'. (9: 3) Abu Bakr, ʿAlī, Abu Hurayrah and other Companions of the Prophet made this announcement to the people, by the Prophet's permission, on the Day of Sacrifice. It appears that the Prophet mentioned to them the Day of Sacrifice, and this made it clear that it is the grand day of the hajj because most rituals become due on this day.

Scholars differ as to which is the grand day of the hajj, with some saying that it is the day of attendance at Arafat. Mālik, al-Shāfiʿī and the majority of scholars said that it is the Day of Sacrifice. *Qadi* ʿIyāḍ mentions that al-Shāfiʿī said that it is the day of attendance at Arafat, but this is contrary to what is well-known of the view of the Shāfiʿī School. The phrase 'the grand day of the pilgrimage' in the above-quoted verse may be read as meaning 'the day of the greater pilgrimage'. Scholars say that this makes it clear that the hajj is intended here, rather than the lesser pilgrimage, which is the ʿumrah. Scholars who define the Day of Arafat as the one intended by the reference to 'the grand day of the pilgrimage' cite in support of their view the hadith that says: 'The hajj is the attendance at Arafat', but God knows best.

The announcement the Prophet ordered to be made says: 'No unbeliever shall be allowed at the hajj after this year'. This is in conformity with what God says: 'Believers, know that the idolaters are certainly impure. So, let them not come near to the Sacred Mosque after this year is ended'. (9: 28) In this instance, the 'Sacred Mosque' refers to the entire Ḥaram area. No unbeliever will be allowed to enter the Ḥaram area at any time and for any purpose. Even if such a person comes with a message to deliver or for some very important matter, he must not be allowed in. The person who has to attend to such a message or important matter comes out to meet him. If such a person comes in stealthily, then falls ill and dies, his body is taken out of the Ḥaram area and buried elsewhere.

The announcement added: ‘And no person may perform the *ṭawāf* in the nude’. This put an end to the practice of the pagan Arabs in the days of ignorance, i.e., *jāhiliyyah*, of forcing visitors to the Kaʿbah who could not afford to buy garments in Makkah to perform the *ṭawāf* in the nude. Our scholars and many others take this hadith as evidence supporting the view that covering one’s private areas is a condition for the validity of the *ṭawāf*, but God knows best.

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i. Related by al-Bukhari, 369, 1662, 3177, 4363 and in longer versions, 4655, 4656; Abu Dāwūd, 1946; al-Nasā’ī, 2957.

CHAPTER 79

THE MERIT OF THE DAY OF ARAFAT

[2887–436]. (Dar al-Salam 3126) Ḥārūn ibn Saʿīd al-Aylī and Ahmad ibn ʿĪsā narrated:[i] both said: Ibn Wahb narrated; Makhramah ibn Bukayr reported to me; from his father; he said: I heard Yūnus ibn Yūsuf say; from Ibn al-Masayyib; he said: ʿĀ'ishah said that God's Messenger (peace be upon him) said: **'On no day does God release from the Fire a greater number than on the Day of Arafat. He draws close and praises them to the angels. He says: "What do these people want?"'**

حَدَّثَنَا هَارُونُ بْنُ سَعِيدٍ الأَيْلِيُّ، وَأَحْمَدُ بْنُ عِيسَى، قَالا: حَدَّثَنَا ابْنُ وَهْبٍ، أَخْبَرَنِي مَخْرَمَةُ بْنُ بُكَيْرٍ، عَنْ أَبِيهِ قَالَ: سَمِعْتُ يُونُسَ بْنَ يُوسُفَ يَقُولُ: عَنِ ابْنِ الْـمُسَيَّبِ قَالَ: قَالَتْ عَائِشَةُ إِنَّ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «مَا مِنْ يَوْمٍ أَكْثَرَ مِنْ أَنْ يُعْتِقَ اللهُ فِيهِ عَبْدًا مِنَ النَّارِ مِنْ يَوْمِ عَرَفَةَ. وَإِنَّهُ لَيَدْنُو، ثُمَّ يُبَاهِي بِهِمُ الْـمَلاَئِكَةَ فَيَقُولُ: مَا أَرَادَ هَؤُلاَءِ؟

[2888–437]. (Dar al-Salam 3127-3128) Yaḥyā ibn Yaḥyā narrated:[ii] he said: I read out to Mālik; from Sumayy, Abu Bakr ibn ʿAbd al-Raḥmān's *mawlā*; from Abu Ṣāliḥ al-Sammān; from Abu Hurayrah; that **'God's Messenger (peace be upon him) said: "One ʿumrah**

to another wipes away [the sins] committed in between them. And a perfect hajj earns no lesser reward than [admittance into] Heaven”.’

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، قَالَ قَرَأْتُ عَلَى مَالِكٍ، عَنْ سُمَيٍّ مَوْلَى أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي صَالِحٍ السَّمَّانِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «الْعُمْرَةُ إِلَى الْعُمْرَةِ كَفَّارَةٌ لِمَا بَيْنَهُمَا. وَالْحَجُّ الْـمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلاَّ الْجَنَّةُ».

Saʿīd ibn Manṣūr, Abu Bakr ibn Abi Shaybah, ʿAmr al-Nāqid and Zuhayr ibn Ḥarb narrated:[iii] they said: Sufyān ibn ʿUyaynah narrated [H]. Also, Muhammad ibn ʿAbd al-Malik al-Umawī narrated to me; ʿAbd al-ʿAzīz ibn al-Mukhtār narrated; from Suhayl [H]. And Ibn Numayr narrated; my father narrated; ʿUbaydullāh narrated [H]. Also, Abu Kurayb narrated; Wakīʿ narrated [H]. Further, Muhammad ibn al-Muthannā narrated to me; ʿAbd al-Raḥmān narrated; all from Sufyān; all of these from Sumayy; from Abu Ṣāliḥ; from Abu Hurayrah; from the Prophet (peace be upon him): **the same text as Mālik’s narration.**

وَحَدَّثَنَاهُ سَعِيدُ بْنُ مَنْصُورٍ، وَأَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، وَعَمْرٌو النَّاقِدُ، وَزُهَيْرُ بْنُ حَرْبٍ قَالُوا: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، ح. وَحَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ الْـمَلِكِ الأُمَوِيُّ، حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ الْـمُخْتَارِ، عَنْ سُهَيْلٍ، ح. وَحَدَّثَنَا ابْنُ نُمَيْرٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللهِ، ح. وَحَدَّثَنَا أَبُو كُرَيْبٍ، حَدَّثَنَا وَكِيعٌ، ح. وَحَدَّثَنِي مُحَمَّدُ بْنُ الْـمُثَنَّى، حَدَّثَنَا عَبْدُ الرَّحْمَنِ. جَمِيعًا عَنْ سُفْيَانَ: كُلُّ هَؤُلاَءِ عَنْ سُمَيٍّ، عَنْ أَبِي صَالِحٍ،

عَنْ ابِي هُرَيْرَةَ، عَنِ النّبِيِّ صَلى اللهُ عَلَيْهِ وَسَلمَ: بِمِثْلِ حَدِيثِ مَالِكٍ.

[2889–438]. (Dar al-Salam 3129) Yaḥyā ibn Yaḥyā and Zuhayr ibn Ḥarb narrated:[iv] Jarīr (Yaḥyā said: ‘reported’ and Zuhayr said: ‘narrated’); from Manṣūr; from Abu Ḥāzim; from Abu Hurayrah. He said: **‘God’s Messenger (peace be upon him) said: “Whoever comes to this House and commits neither lewdness nor wicked conduct returns as pure as on the day of his birth”.’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، وَزُهَيْرُ بْنُ حَرْبٍ، (قَالَ يَحْيَى أَخْبَرَنَا وَقَالَ زُهَيْرٌ حَدَّثَنَا) جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «مَنْ أَتَى هَذَا الْبَيْتَ، فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ، رَجَعَ كَمَا وَلَدَتْهُ أُمُّهُ».

[2890–000]. (Dar al-Salam 3130-3131) Saʿīd ibn Manṣūr narrated: from Abu ʿAwānah and Abu al-Aḥwaṣ [H]. Also, Abu Bakr ibn Abi Shaybah narrated: Wakīʿ narrated; from Misʿar and Sufyān [H]. And Ibn al-Muthannā narrated: Muhammad ibn Jaʿfar narrated: Shuʿbah narrated; all of them from Manṣūr; with the same chain of transmission: **the same except that in all their narrations: ‘Whoever performs the hajj, committing neither lewdness nor wicked conduct…’.**

وَحَدَّثَنَاهُ سَعِيدُ بْنُ مَنْصُورٍ، عَنْ أَبِي عَوَانَةَ، وَأَبِي الأَحْوَصِ، ح. وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، وَسُفْيَانَ، ح. وَحَدَّثَنَا ابْنُ الْـمُثَنَّى، حَدَّثَنَا

مُحَمَّدُ بْنُ جَعْفَرٍ، حَدّثَنَا شُعْبَةُ، كلّ هَؤُلاَءِ عَنْ مَنْصُورٍ، بِهَذَا الإِسْنَادِ: وَفِي حَدِيثِهِمْ جَمِيعًا: «مَنْ حَجَّ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ».

Saʿīd ibn Manṣūr narrated: Hushaym narrated; from Sayyār; from Abu Ḥāzim; from Abu Hurayrah; from the Prophet: **the same text.**

حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ، حَدَّثَنَا هُشَيْمٌ، عَنْ سَيَّارٍ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مِثْلَهُ.

Text Explanation

In hadith No. 2888 the Prophet says: ‘One ʿumrah to another wipes away [the sins] committed in between them’. This makes clear the importance of the ʿumrah, whereby it ensures the forgiveness of sins committed between two ʿumrahs. In the Book of Cleansing, we discussed what is meant by such sins and how to reconcile this hadith and the hadiths that mention that performing *wudu* erases sins, as do prayers, fasting on the day of attendance at Arafat and the tenth day of the month, al-Muḥarram. Some scholars cite this hadith in support of the view of al-Shāfiʿī and the majority of scholars that it is desirable to repeat the ʿumrah several times during the same year. Mālik and most Mālikī scholars say that to perform the ʿumrah more than once in one year is discouraged. *Qadi* ʿIyāḍ said that other scholars said that one should not perform the ʿumrah more than once in the same month.

It should be clear that the whole year is a suitable time for performing the ʿumrah, which means that it is valid at all times, except for one who is already engaged in performing the hajj. Such a person cannot perform the ʿumrah until he has finished his hajj. According to our school, it is not discouraged to perform the ʿumrah on the Day of Arafat, the Tashrīq days or any other day of the year, except for the restrictions concerning a person performing the hajj. This is agreed upon by Mālik, Ahmad and the great majority of scholars. Abu Ḥanīfah said that it is discouraged on five days: the Day of Arafat, the Day of Sacrifice and the three Tashrīq days. While Abu Yūsuf said that it is discouraged on four days: the Day of Arafat and the Tashrīq days.

Scholars hold different views with regard to the status of the ʿumrah and whether it is a duty. According to al-Shāfiʿī and the majority of scholars, it is a duty. This view is also agreed by ʿUmar, Ibn ʿUmar, Ibn ʿAbbās, Ṭāwūs, ʿAṭā’, Ibn al-Musayyib, Saʿīd ibn Jubayr, al-Ḥasan al-Baṣrī, Masrūq, Ibn Sīrīn, al-Shaʿbī, Abu Burdah ibn Abu Mūsā, ʿAbdullāh ibn Shaddād, al-Thawrī, Ahmad, Isḥāq, Abu ʿUbayd and Dāwūd. On the other hand, Mālik, Abu Ḥanīfah and Abu Thawr state that the ʿumrah is a sunnah, not a duty. This view is also reported to have been expressed by al-Nakhaʿī.

In the same hadith, No. 2888 the Prophet says: ‘And a perfect hajj earns no lesser reward other than [admittance into] Heaven’. The best known and most accurate meaning of the Arabic word *mabrūr*, which is translated here as ‘perfect’, is ‘one that is free of any sin or act of disobedience of God’. It is also said that the word means ‘an accepted hajj’, and one of the signs of its acceptance is that when one returns home, one is a better person than when one started, and one refrains from all sin. It is further said that it means that it involves no showing off or is not followed by committing an act of disobedience to God. These last two meanings are included in those that precede them. ‘Earns no lesser reward other than admittance into Heaven’ means that the reward given for such pilgrimage is not limited to the forgiveness of some of the pilgrim’s past sins. Rather, he will inevitably be admitted into Heaven, but God knows best.

Hadith No. 2889 quotes the Prophet: ‘Whoever comes to this House and commits neither lewdness nor wicked conduct returns as pure as on the day of his birth’. It is said that lewdness refers to obscenity, but another meaning is that it refers to sexual intercourse. This word is used in the verse that says: ‘It is lawful for you to be intimate with your wives during the night preceding the fast’. (2: 187) Scholars interpret ‘being intimate with one’s wife’ as having intercourse with her. Al-Azharī says that the Arabic word *rafath*, which is translated as ‘lewdness’, incorporates all that a man wants from a woman.

‘Returns as pure as on the day of his birth’ means that such a pilgrim returns home free of all sin, but God knows best.

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i. Related by al-Nasā’ī, 3003; Ibn Mājah, 3014.

ii. Related by al-Bukhari, 1773; al-Nasā’ī, 2628; Ibn Mājah, 2888.

iii. Related by al-Nasā’ī, 2621 and 2622; al-Tirmidhī, 933.

iv. Related by al-Bukhari, 1819, 1820; al-Tirmidhī, 811; al-Nasā’ī, 2626; Ibn Mājah, 2889.

CHAPTER 80

STAYING IN MAKKAH AFTER THE HAJJ

[2891–439]. (Dar al-Salam 3131) Abu al-Ṭāhir and Ḥarmalah ibn Yaḥyā narrated:[i] both said: Ibn Wahb reported; Yūnus ibn Yazīd reported; from Ibn Shihāb; that ʿAlī ibn Ḥusayn reported to him; that ʿAmr ibn ʿUthmān ibn ʿAffān reported to him; from Usāmah ibn Zayd ibn Ḥārithah; that he said: **‘Messenger of God! Will you be staying in your home in Makkah?’ He said: ‘Has ʿAqīl left us any homes or houses?’ ʿAqīl and Ṭālib inherited Abu Ṭālib, while Jaʿfar and ʿAlī inherited nothing from him as they were Muslims, while ʿAqīl and Ṭālib were unbelievers.**

حَدَّثَنِي أَبُو الطَّاهِرِ، وَحَرْمَلَةُ بْنُ يَحْيَى، قَالا: أَخْبَرَنَا ابْنُ وَهْبٍ، أَخْبَرَنَا يُونُسُ بْنُ يَزِيدَ، عَنِ ابْنِ شِهَابٍ، أَنَّ عَلِيَّ بْنَ حُسَيْنٍ، أَخْبَرَهُ أَنَّ عَمْرَو بْنَ عُثْمَانَ بْنِ عَفَّانَ أَخْبَرَهُ، عَنْ أُسَامَةَ بْنِ زَيْدِ بْنِ حَارِثَةَ، أَنَّهُ قَالَ: يَا رَسُولَ اللهِ، أَتَنْزِلُ فِي دَارِكَ بِمَكَّةَ؟ فَقَالَ: «وَهَلْ تَرَكَ لَنَا عَقِيلٌ مِنْ رِبَاعٍ أَوْ دُورٍ»؟ وَكَانَ عَقِيلٌ وَرِثَ أَبَا طَالِبٍ هُوَ وَطَالِبٌ، وَلَمْ يَرِثْهُ جَعْفَرٌ وَلاَ عَلِيٌّ شَيْئًا، لأَنَّهُمَا كَانَا مُسْلِمَيْنِ، وَكَانَ عَقِيلٌ وَطَالِبٌ كَافِرَيْنِ.

[2892–440]. (Dar al-Salam 3132) Muhammad ibn Mihrān al-Rāzī, Ibn Abi ʿUmar and ʿAbd ibn Ḥumayd narrated: all from ʿAbd al-Razzāq; Ibn Mihrān said: ʿAbd al-Razzāq narrated; from Maʿmar; from al-Zuhrī; from ʿAlī ibn Ḥusayn; from ʿAmr ibn ʿUthmān; from Usāmah ibn Zayd: **‘I said: “Messenger of God, where shall you be staying tomorrow?” This was at the time of his hajj, as we approached Makkah. He said: “Has ʿAqīl left us any home?”’**

حَدَّثَنَا مُحَمَّدُ بْنُ مِهْرَانَ الرَّازِيُّ، وَابْنُ أَبِي عُمَرَ، وَعَبْدُ بْنُ حُمَيْدٍ، جَمِيعًا عَنْ عَبْدِ الرَّزَّاقِ. قَالَ ابْنُ مِهْرَانَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ عَلِيِّ بْنِ حُسَيْنٍ، عَنْ عَمْرِو بْنِ عُثْمَانَ، عَنْ أُسَامَةَ بْنِ زَيْدٍ، قُلْتُ: يَا رَسُولَ اللهِ، أَيْنَ تَنْزِلُ غَدًا؟ وَذَلِكَ فِي حَجَّتِهِ حِينَ دَنَوْنَا مِنْ مَكَّةَ. فَقَالَ: «وَهَلْ تَرَكَ لَنَا عَقِيلٌ مَنْزِلا»؟

[2893–000]. (Dar al-Salam 3133) Muhammad ibn Ḥātim narrated: Rawḥ ibn ʿUbādah narrated; Muhammad ibn Abi Ḥafṣah and Zamʿah ibn Ṣāliḥ narrated; both said: Ibn Shihāb narrated; from ʿAlī ibn Ḥusayn; from ʿAmr ibn ʿUthmān; from Usāmah ibn Zayd; that he said: **‘Messenger of God! Where will you be staying tomorrow, God willing?’ This was at the time of the takeover [of Makkah]. He said: ‘Has ʿAqīl left us any home?’**

وَحَدَّثَنِيهِ مُحَمَّدُ بْنُ حَاتِمٍ، حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ، حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي حَفْصَةَ، وَزَمْعَةُ بْنُ صَالِحٍ قَالا: حَدَّثَنَا ابْنُ شِهَابٍ، عَنْ عَلِيِّ بْنِ حُسَيْنٍ، عَنْ عَمْرِو بْنِ عُثْمَانَ، عَنْ أُسَامَةَ بْنِ زَيْدٍ أَنَّهُ قَالَ: يَا رَسُولَ اللهِ أَيْنَ تَنْزِلُ غَدًا إِنْ

شَاءَ اللهُ؟ وَذَلِكَ زَمَنَ الفَتْحِ. قَالَ: «وَهَلْ تَرَكَ لنَا عَقِيلٌ مِنْ مَنْزِلٍ»؟

Text Explanation

These hadiths refer to the fact that it was ʿAqīl and Ṭālib who inherited from their father, Abu Ṭālib, while his two other sons, Jaʿfar and ʿAlī, inherited nothing from him because they were Muslims, unlike their two brothers. *Qadi* ʿIyāḍ said: 'Perhaps Usāmah mentioned that the home belonged to the Prophet because he used to live there, while in fact it belonged to Abu Ṭālib who was the Prophet's guardian and the eldest of ʿAbd al-Muṭṭalib's sons. When ʿAbd al-Muṭṭalib died, Abu Ṭālib took over all his property, according to the practice of the pre-Islamic days. On the other hand, it is possible that ʿAqīl might have sold all these homes leaving nothing belonging to them, as did Abu Sufyān and other Makkans with the properties of those Muslims who migrated to Madinah'. Al-Dāwūdī said: ''ʿAqīl sold all that belonged to the Prophet and all that belonged to ʿAbd al-Muṭṭalib's descendants who migrated to Madinah'.

The Prophet's rhetorical question, 'Has ʿAqīl left us any home?', provides evidence supporting the view of al-Shāfiʿī and those who agree with him that Makkah was taken over peacefully and that its homes belonged to its people. In this, legal provisions that apply to other cities also apply to it, which means that its properties belonged to its people and are inherited from them. They may dispense with such properties as they please, including selling, mortgaging, gifting them or giving them as bequests. Mālik, Abu Ḥanīfah, al-Awzāʿī and others, on the other hand, say that Makkah was taken over by force and no such transaction was valid.

The hadith makes it clear that a Muslim may not inherit from an unbeliever. This is the view of all scholars, except for what is reported to have been expressed by Isḥāq ibn Rāhawayh and some early scholars that a Muslim may inherit from an unbeliever. Scholars are unanimous that an unbeliever may not inherit from a Muslim. This question will be discussed fully at its appropriate place, God willing.

i. Related by al-Bukhari, 1588, 3058, 4282; Abu Dāwūd, 2008, 2910; Ibn Mājah, 2942, 2730.

CHAPTER 81

MAXIMUM STAY IN MAKKAH FOR THE MUHĀJIRĪN

[2894–441]. (Dar al-Salam 3134) ʿAbdullāh ibn Maslamah ibn Qaʿnab narrated:[i] Sulaymān (meaning Ibn Bilāl) narrated; from ʿAbd al-Raḥmān ibn Ḥumayd; that he heard ʿUmar ibn ʿAbd al-ʿAzīz asking al-Sā'ib ibn Yazīd: 'Have you heard anything concerning staying in Makkah?' Al-Sā'ib said: 'I heard al-ʿAlā' ibn al-Ḥaḍramī say: "I heard God's Messenger (peace be upon him) say: **'A migrant may stay in Makkah for three days after the departure [from Mina]', as if meaning that he may not stay longer.**

حَدَّثَنَا عَبْدُ اللهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ، حَدَّثَنَا سُلَيْمَانُ (يَعْنِي ابْنَ بِلاَلٍ)، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حُمَيْدٍ، أَنَّهُ سَمِعَ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ يَسْأَلُ السَّائِبَ بْنَ يَزِيدَ يَقُولُ: هَلْ سَمِعْتَ فِي الإِقَامَةِ بِمَكَّةَ شَيْئًا؟ فَقَالَ السَّائِبُ: سَمِعْتُ الْعَلاَءَ بْنَ الْحَضْرَمِيِّ يَقُولُ: سَمِعْتُ رَسُولَ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «لِلْمُهَاجِرِ إِقَامَةُ ثَلاَثٍ بَعْدَ الصَّدَرِ بِمَكَّةَ». كَأَنَّهُ يَقُولُ لاَ يَزِيدُ عَلَيْهَا.

[2895–442]. (Dar al-Salam 3135) Yaḥyā ibn Yaḥyā narrated: Sufyān ibn ʿUyaynah reported; from ʿAbd al-Raḥmān ibn Ḥumayd. He said: **‘I heard ʿUmar ibn ʿAbd al-ʿAzīz saying to his guests: “What have you heard concerning residence in Makkah?” Al-Sā’ib ibn Yazīd said: “I heard al-ʿAlā’ (or he said: al-ʿAlā’ ibn al-Ḥaḍramī) say that God’s Messenger (peace be upon him) said: ‘A migrant stays in Makkah for three days after having completed his worship’.”’**

حَدَّثَنَا يَحْيَى بْنُ يَحْيَى، أَخْبَرَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حُمَيْدٍ، قَالَ: سَمِعْتُ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ يَقُولُ لِجُلَسَائِهِ: مَا سَمِعْتُمْ فِي سُكْنَى مَكَّةَ؟ فَقَالَ السَّائِبُ بْنُ يَزِيدَ: سَمِعْتُ الْعَلاَءَ - أَوْ قَالَ الْعَلاَءَ بْنَ الْحَضْرَمِيِّ - قَالَ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: «يُقِيمُ الْـمُهَاجِرُ بِمَكَّةَ بَعْدَ قَضَاءِ نُسُكِهِ ثَلاَثًا».

[2896–443]. (Dar al-Salam 3136) Ḥasan al-Ḥulwānī and ʿAbd ibn Ḥumayd narrated: both from Yaʿqūb ibn Ibrāhīm ibn Saʿd: my father narrated; from Ṣāliḥ; from ʿAbd al-Raḥmān ibn Ḥumayd; that he heard ʿUmar ibn ʿAbd al-ʿAzīz asking al-Sā’ib ibn Yazīd. Al-Sā’ib said: **‘I heard al-ʿAlā’ ibn al-Ḥaḍramī say: “I heard God’s Messenger (peace be upon him) say: ‘Three nights a migrant may stay in Makkah after the departure [from Mina]’.”’**

وَحَدَّثَنَا حَسَنٌ الْحُلْوَانِيُّ، وَعَبْدُ بْنُ حُمَيْدٍ، جَمِيعًا عَنْ يَعْقُوبَ بْنِ إِبْرَاهِيمَ بْنِ سَعْدٍ، حَدَّثَنَا أَبِي، عَنْ صَالِحٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حُمَيْدٍ، أَنَّهُ سَمِعَ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ يَسْأَلُ السَّائِبَ بْنَ يَزِيدَ. فَقَالَ السَّائِبُ: سَمِعْتُ الْعَلاَءَ بْنَ

الحَضْرَمِيِّ يَقُولَ: سَمِعْتُ رَسُولَ اللهِ صَلى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: «ثَلاَثُ لَيَالٍ يَمْكُثُهُنَّ الْـمُهَاجِرُ بِمَكَّةَ بَعْدَ الصَّدَرِ».

[2897–444]. (Dar al-Salam 3137-3138) Isḥāq ibn Ibrāhīm narrated: ʿAbd al-Razzāq reported; Ibn Jurayj reported, and he dictated to us: Ismāʿīl ibn Muhammad ibn Saʿd reported to me; that Ḥumayd ibn ʿAbd al-Raḥmān ibn ʿAwf reported to him; that al-Sā’ib ibn Yazīd told him that al-ʿAlā’ ibn al-Ḥaḍramī told him that **‘God’s Messenger (peace be upon him) said: “A migrant’s stay in Makkah after completing his worship is for three [days]”.’**

وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ، أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، وَأَمْلاَهُ عَلَيْنَا إِمْلاَءً: أَخْبَرَنِي إِسْمَاعِيلُ بْنُ مُحَمَّدِ بْنِ سَعْدٍ، أَنَّ حُمَيْدَ بْنَ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ أَخْبَرَهُ، أَنَّ السَّائِبَ بْنَ يَزِيدَ أَخْبَرَهُ، أَنَّ الْعَلاَءَ بْنَ الْحَضْرَمِيِّ أَخْبَرَهُ عَنْ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: «مَكْثُ الْـمُهَاجِرِ بِمَكَّةَ بَعْدَ قَضَاءِ نُسُكِهِ ثَلاَثٌ».

Ḥajjāj ibn al-Shāʿir narrated to me: al-Ḍaḥḥāk ibn Makhlad narrated; Ibn Jurayj reported; with the same chain of transmission: **the same text.**

وَحَدَّثَنِي حَجَّاجُ بْنُ الشَّاعِرِ، حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، أَخْبَرَنَا ابْنُ جُرَيْجٍ، بِهَذَا الإِسْنَادِ: مِثْلَهُ.

Text Explanation

In its different versions, this hadith means that those who migrated from Makkah before it was taken over by the Muslims, to join the Prophet in Madinah, were not permitted to reside in Makkah again. Subsequently, if they arrived in Makkah to perform the hajj or the ʿumrah, or for some other reason, they were permitted to stay for three days after finishing their purpose. They could not stay there longer. Our scholars take this as evidence that a stay in any place for three days does not count as residence. During such a short stay, a person continues to be considered 'in travel'. Therefore, if a traveller intends to stay in a town for three days, apart from his days of entry and departure, he may continue to exercise the concessions granted to travellers, including shortening four-*rakʿah* prayers to two *rakʿahs* only and not fasting during Ramadan, etc. He does not acquire residence status during these days.

The hadiths speak about the stay after departure from Mina or after completing one's worship. This is all before performing the *ṭawāf* of farewell. This confirms the more correct view of our Shāfiʿī scholars who say that the *ṭawāf* of farewell is not one of the hajj rituals but rather a separate act of worship required of anyone who is leaving Makkah. Therefore, the people of Makkah and its residents are not commanded to do it. The point of evidence in these hadiths is the fact that the Prophet said: 'after completing his worship'. What he meant is the same as we mentioned, before the *ṭawāf* of farewell, because once the *ṭawāf* of farewell is performed, one may not stay in Makkah. If one performs the *ṭawāf* and stays in Makkah thereafter, then the *ṭawāf* no longer counts as the *ṭawāf* of farewell. Hence, a person is considered to have completed his worship before doing the *ṭawāf* of farewell, but God knows best.

Qadi ʿIyāḍ said:

> This hadith serves as evidence in support of the view that anyone who migrated from Makkah before it was taken over may not reside there. This is indeed the view of the majority of scholars, even though a group of scholars said that they may reside in Makkah. All scholars agree that this view applies to those who migrated before

Makkah was taken over and stayed in Madinah to support the Prophet and fight for him. As for other Muslims who did not migrate or who embraced Islam after Makkah was taken over, these may live anywhere they wish including Makkah.

Clarification

The Muhājirīn, or migrants, of the Prophet's Companions earned a special, very rich reward for their migration, undertaken for the support of the Prophet and the message of Islam. For this reason, they needed to continue to live away from Makkah and undertake any service of Islam required of them for the rest of their lives. To return to Makkah and live there would deprive them of their status as migrants. Hence, none of them returned except for performing the hajj or the ʿumrah.

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i. Related by al-Bukhari, 3933; al-Tirmidhī, 949; al-Nasā'ī, 1453, 1454; Ibn Mājah, 1073.

Since its compilation over a thousand years ago, *Ṣaḥīḥ Muslim* has been recognised by scholars as an authentic collection of Prophetic teachings second only to that of Imam Bukhārī (d. 256/870). The hadith collection of Imam Muslim (d. 261/875) has had innumerable commentaries written on it down to modern times. However, there is no doubt that one commentary stands out as the most authoritative, namely that of the great Damascene scholar, Imam al-Nawawī (d. 676/1277), which in Arabic is entitled *al-Minhāj Sharḥ Ṣaḥīḥ Muslim ibn al-Ḥajjāj*. This multidisciplinary commentary brings forth rich insights into the Arabic language, Qur'anic studies, Islamic law and jurisprudence, Islamic theology, Islamic spirituality and Islamic history.

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